

**REHABILITATION OF LONG-TERM OFFENDERS IN A MAXIMUM
SECURITY PRISON**

By

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DECLARATION OF PLAGIARISM

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I declare that: REHABILITATION OF LONG-TERM OFFENDERS IN A MAXIMUM SECURITY PRISON: is my own work, and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

Signature

Date:

2018 FEBRUARY

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SUMMARY

The main aim of this study is to obtain the MASTER OF ARTS degree. Secondly this study gives clarity on the study of long-term offenders in a maximum security prison.

Offenders detained in maximum security prisons are given long-term imprisonment by the court of law. Long-term imprisonment goes along with high level of stress in correctional facilities. As a result, the development and treatment programs offered for inmates form part of the study.

This study is important for the South African correctional system due to some of the categories of offenders in maximum security prisons.

KEY TERMS

Correctional services, Rehabilitation, Re-offending, Recidivism, Correctional services act, long-term offender, correctional centre, offender profiling

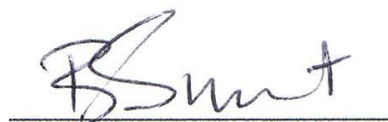
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- correcting only the most obvious typos, word, and grammatical errors
- making key terminology consistent, but with no in-depth term checking
- ensuring consistency through the document
- ensuring that in-text referencing and the format of the list of references is correct



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CHAPTER 1

1.1 INTRODUCTION

The chapter will introduce and give background to the new prison system introduced in South Africa during the 1960s and 1970s. It is stipulated that offenders must be treated according to “Mandela Rules”. It was only in 1990s when the country made a transition to democracy that the rights of each citizen were made clear including that of offenders. When the Department of Correctional Services was transformed in 1994. The following were made possible:

- Important changes in representation to personnel and management.
- Alignment of policies and directives with international standards.
- Introduction of independent prison visitors aimed at aligning the Department of Correctional Services with equality (White Paper on Corrections, 2005:20).

The demilitarization of the Department of Correctional Services (DCS) actually brought rehabilitation idea into play (Muthapuli, 2008:1). He clearly stated that the whole idea of rehabilitation of long-term offenders was emphasized in the Correctional Services Act 111 of 1998 as well as in the white paper in corrections (1995). The basis of the argument was on the fact that these long-term offenders one way or the other will go back to the community at the end of the sentence. The community needs a rehabilitated offender who cannot easily commit the same offence repeatedly. It is therefore important for the researcher to focus on rehabilitation programmes and how it will benefit the offender and community at large.

1.2 PROBLEM STATEMENT

The Department of Correctional Services are focussing on the rehabilitation of offenders. Organizations that are funding rehabilitation programs are faced with unanswered questions regarding reoffending long-term offenders when they are released. A reasonable person would therefore want to know the impact of these rehabilitation programmes to the offender and the community since one of the major objectives of putting such programmes is to reduce crime or to stop the offenders

from committing the same offence. According to the 2011/2012 budget vote, rehabilitation programmes cost taxpayers R50.7 million per year of which a large portion goes to the salary wage bill of the staff. Assessing the impact of rehabilitation programmes on long-term offenders will ensure that the above mentioned figure will be used in such way that the set objectives will be met (Chanmdregoud, 2012:10). Accountability of programs, which costs the country a lot of money, should be emphasized taking into consideration that resources are limited. Zhang (2012:4) suggested reasons why programmes should be assessed and outcomes should be clearly indicated.

1.3 RESEARCH OBJECTIVES

The main aim of the research was to determine the effectiveness of rehabilitation programmes on long-term offenders in a maximum security correctional centre.

The secondary aims of research were:

- To identify rehabilitation programmes implemented by the Department of Correctional Services
- To measure the impact of rehabilitation programmes on reduction of crime rate.
- To recommend measures to be put in place to make sure that rehabilitation programmes are really effective.

1.4 RESEARCH QUESTIONS

- Which rehabilitation programs are being implemented by Department of Correctional Services?
- How does rehabilitation programmes reduce crime rate by long-term offenders?
- What measures should be put in place to make sure that rehabilitation programmes are really effective?

1.5 DERMACATION OF THE STUDY

The research focused on offenders who were sentenced for two years and more and offenders that were on correctional sentence plans. The correctional sentence plans addressed the offending behaviour and the type of crime committed by such long-

term offenders. The qualities of the group or phenomena that were taken as research sample by the researcher was purified (Silverman, 2008:88). All offenders with sentences of less than two years were not included in the research sample. The researcher consulted sources within the Department of Correctional Services in South Africa and would make recommendations for future researches in South African Correctional Centres (Du Preez, 2012:37).

1.6 INCLUSION AND EXCLUSION

This study focussed on rehabilitation the of long-term offenders in a maximum security prison. It was, therefore, not possible for the researcher to use a structured questionnaire to collect data. The researcher used secondary data to meet the objectives of the study. The researcher included offenders serving prison terms ranging from two years and above.

1.7 DEFINITION OF KEY THEORETICAL WORKING CONCEPTS

1.7.1 Rehabilitation

The term rehabilitation can be defined as the way of determining how an offender can be offered treatment to deal with his/her future behavioural patterns regarding his future criminal life (Nesser, 1992:45). Stevens (1996:46) indicated that the principle of rehabilitation must be directed to offenders making sure they take full responsibility for taking control of their lives. Long-term offenders are therefore given an opportunity to adapt to rehabilitation. Rehabilitation is a process that gives an offender to redress and apply his/her mind and the damage caused by his criminal behaviour to the victims of crime/and the broader community (Department of Correctional Services South Africa, 2012:9). It is the process were offenders are given an opportunity to acquire skills, knowledge and culture that will be accepted by the broader society.

Furthermore, rehabilitation is the result of a process that combines the correction of offending behaviour, human development and the promotion of social responsibility and values (White Paper on Corrections, 2005:72). It is the desired outcome of processes that involve both departmental responsibilities of Government and social

responsibilities of the nation (Muntingh, 2005:9). Muntingh further argued that rehabilitation should not be viewed as a strategy to preventing crime, but rather a holistic phenomenon incorporating and encouraging: social responsibility, social justice, active participation in democratic activities, empowerment with life-skills and other skills and a contribution to making South Africa a better place to live.

1.7.2 Recidivism

Recidivism refers to a person's relapse into criminal behaviour, often after the person receives sanctions or undergoes intervention for a previous crime (Hunt, 2016:7). Recidivism measures can provide policy makers with information regarding the relative threat to public safety posed by various types of offenders and the effectiveness of public safety initiatives deterring crime and rehabilitating or incapacitating offenders (Dumville, 2016:7).

1.7.3 Correctional centre

According to the South African Correctional Service Act 1998, a correctional centre is defined as a place for the reception, detention, confinement, training or treatment of persons liable to detention in custody or to placement under protective custody, and all land, outbuildings and premises adjacent to any such place and used in connection therewith and all land and branches, outstations, camps, buildings, premises, or places to which any such persons have been sent for the purpose of incarceration, detention, protection, labour, treatment or otherwise, and all quarters of correctional officials used in connection with any such correctional centre, and for the purpose of Section 115 and Section 117 include every place used as police cell or lock up (Correctional Services Act 111 of 1998, 2008:9).

1.7.4 Long-term offender

Long-term offender refers to the offender who is serving more than two years and above. The purpose of rehabilitation on long-term offender is to protect the society from the threat that the offender currently poses.

1.8 THE SIGNIFICANCE OF THE STUDY

1.8.1. Value for the correctional system

In the past, the mentality was to lock offenders up and throw away the key. The outlining of effectiveness of rehabilitation and its recommendations will help the Department of Correctional Services in partnership with NGO to develop programs that will assist long-term offenders after release.

1.8.2 Value for the broader community

The society's involvement in the rehabilitation process would ensure safe and secure detention. The society would also understand that keeping offenders busy through different rehabilitation programs have an impact in the daily operations of the correctional centre as it addresses idleness. On the other hand, society would have to understand the efforts put on the development of the offender by Department of Correctional Services, and furthermore Department of Correctional Services can try through programs on long-term offenders but they cannot predict human future and human behaviour. In this instance, the philosophy that corrections are a societal responsibility will be clearly indicated. Society plays a role in the rehabilitation of long-term offenders.

1.8.3 Value for the academia

The researcher would achieve an increased knowledge in the correctional services environment. The project would assist the Department of Correctional Services in developing and redesigning new programmes that will play a role in the rehabilitation of long-term offenders. The project would reduce recidivism as the causes of re-offending would be looked at. As a result, overcrowding would be minimized if the identified programmes are effective. The successful implementation of recidivism would relieve tax payers from the burden of imprisonment.

Offender rehabilitation requires joint efforts by the Department of Correctional Services and the society. The Department of correctional services objectives

regarding rehabilitation must be clear and understandable. The research project would make recommendations about different efforts made to rehabilitate offenders. It can therefore be said that the Department of Correctional Services would be assisted by the research to develop new correctional system that would be in line with the international system and the constitution. Such values would assist Department of Correctional Services to avoid unnecessary claims and litigations from offenders and their families.

1.9 RESEARCH DESIGN

A research design is a plan through which the research participants or subjects are used in order to collect information from them. Wehman (2001:302) suggested that it is important for the researcher to consider the purpose of the research, the theoretical paradigm informing the research, the context or situation within which the research is carried out and the research techniques employed to collect and analyse data. All these aspects were considered in the process of conducting this research.

Sources such as e-journals, articles, books, acts, white paper on correction and rule 67 and 68 were used in the research in order to clearly indicate the effectiveness of rehabilitation on long-term offenders.

1.9.1 Qualitative research

Ormerord (2010:94) highlighted that qualitative research involves taking a closer look at characteristics that cannot easily be deducted to numerical values. It examines and investigates the complexity of a particular phenomenon.

Qualitative research makes use of naturalistic approach that have the aim to understand phenomenon in context- specific settings, in a real world situation, the researcher does not have an opportunity to manipulate the phenomenon of interest (Patton, 2001:599) unlike quantitative researches that seek casual determination, prediction, and generalization of findings (Hoepfi, 1997:598). Qualitative researchers seek:

- Stead illumination

- Understanding
- Extra polation to similar situations

The research that is currently conducted has the expectations of qualitative research. The easiest way of gathering information was used. As the rehabilitation of offenders is the main purpose of imprisonment, focus was specifically directed to determine the effectiveness of rehabilitation on long-term offenders in South African maximum security correctional centres.

1.9.2 Exploratory research

In exploratory research, journals and books relevant to research on the effectiveness of rehabilitation on long-term offenders in maximum security correctional centres were studied. New findings on investigations need to be conducted. According to Burns (1998:111), the exploratory research is an informal research that is conducted to find out the background information of the problem that is being researched. In other words, exploratory research is not formal in nature as step by step procedure is not followed, it can therefore be regarded as testing-out and problem-solving research (Blaxter, 2001:17)

1.9.3 Descriptive research

In this type of research the researcher looked at the situation of long-term offenders in a maximum security correctional centre and whether rehabilitation is effective or not. That will be made clear without changing the situation that is under investigation. In the descriptive research the data gathered will be analysed with the aim of coming with a solution to problems (Paul, 2010:1)

1.10 RESEARCH METHODOLOGY

1.10.1 Study population

Section 29(1) of the Bill of Rights emphasizes that one of the purposes of imprisonment is rehabilitation. According to Welmankruger (2001:46), the population in the study of research takes on a slightly different meaning. The population in

statistics includes all members of a defined group that would mean studying or collecting information on for data driven decisions.

Since rehabilitation is one of the purposes of imprisonment (Section 29 (1) of the Bill of Rights) the study covered long-term offenders as they have already been sentenced and the Department of Correctional Services takes full responsibility. It also has an objective of enabling sentenced offenders to lead a socially responsible and crime-free life in future. The population that was considered in the study includes all members of a defined group meaning the study or collecting of information for data driven decisions.

1.10.2 Sample procedure

The specific items of the population were identified and researched. In this instance, the sampling focused on long-term offenders in a maximum security correctional centre. Since the researcher will not be using a questionnaire process, the researcher focused on information gathered and reports from the Department of Correctional Services. Such reports were properly acknowledged as such to avoid plagiarism. The main aim of sampling such information was to determine if there any effectiveness in rehabilitation of long-term offenders.

1.10.3 Methods of data collection

In collecting data, the researcher asked the following questions to look at facts that would assist in collecting relevant information. The questions focused on solving the rehabilitation of long-term offenders.

1.10.3.1 *What data are needed?*

As a researcher, I would have to find out what information was needed to solve the problem and the characteristics thereof.

1.10.3.2 *Where are the data located?*

The point would be where to get the information needed to complete this project. The researcher consulted different resources to establish what other researchers were saying about rehabilitation of long-term offenders. The information from the newspapers, diaries and articles of the past would form part of the study.

1.10.4 Data evaluation

The evaluation research has no exact definition (Barker, 2006:102). The research project would be evaluated by looking at the value of rehabilitating long-term offenders. The information was gathered by looking at the available data from the Department of Correctional Services. It was therefore important to look at the data regarding recidivism and offenders who are readmitted either through parole break. That would also have been measured against the programmes offered to long-term offenders.

The evaluation process will also assist the Department of Correctional Services to look at its policies and resources. It can therefore be mentioned that the evaluation focused on improving and identifying policies and directives that will ensure that rehabilitation on long-term offenders is addressed.

1.10.5 Data analysis and interpretation

Qualitative and quantitative methods have aspects in common (Neuman, 1997:426). It can be mentioned that they have same similarities and differences. They both explain how the information was received and gathered. During the analysis of data one would have to focus on the accuracy of the information and avoid errors. The interpretation of the information would be used and aligned to the situation that was chosen for study purposes, that is rehabilitation of long-term offenders in a maximum security prison. The gathered information must determine if programmes play a role in the rehabilitation of long-term offenders or not. The collected data was clearly interpreted so that the problem could have solution.

1.10.6 Public presentation

The Department of Correctional Services is normally criticized for its policies and directives regarding offender's treatment. It can be said that the public has the perception that offenders are treated with kid gloves. It is the researcher's greatest wish to make presentations during conferences to show the vision and mission of the Department of Correctional Services using Power Point presentations. In doing that, the researcher will make the public aware that correction is a societal responsibility. The charts will also be pasted during my presentation and use relevant examples. The problem to be discussed is rehabilitation of long-term offenders and check if programmes are effective or not.

1.11 RELIABILITY AND VALIDITY ISSUES

Validity and reliability can be differentiated in different ways by various researchers. According to Eisner (1991:58), a good or well-constructed research will help us end confusion. It is also mentioned in Stenbacka (2001:598) that the concept of reliability is even misleading in qualitative research. On the other hand, (Patton, 2001:598) states that validity and reliability are two factors that any qualitative researcher would be concerned about while designing a study, analysing results and judging the quality of study. He further argued that the association of quantitative paradigm with qualitative research through validity and reliability has changed our understanding of the traditional meaning of reliability and validity from the qualitative researches perspective.

Reliability and validity are conceptualized as trustworthiness, rigor and quality in qualitative research (Crosswell & Miller, 2000:126). The validity procedure as collected from different sources from information used to form themes or categories in this story.

1.12 ETHICAL CONSIDERATIONS

As a first time researcher, I ensured that consultation of different sources and professionals from universities had been done. The researcher made a summary of

their own understanding of facts, and avoided plagiarism and acknowledged sources as such. The researcher ensured that any collected information from individuals for research purposes was treated as such and not for any other reasons to avoid embarrassment. In this case, the subjects were long-time offenders and such information was gathered from different sources and would not be abused through plagiarism (Carrince, 1997:445).

1.12.1 Avoiding duplicate publication

The researcher tried their level best to avoid working on a project that has already been worked by other people. Because of that, the researcher requested permission from the original copy writer. Any work that deals with rehabilitation of long-term offenders has been researched and other researchers were properly acknowledged.

1.12.2 Avoiding plagiarism

The researcher adhered to UNISA ethical values with regard to information as derived from other researchers. The following are some of facts that ensured compliance with dishonest practices, namely:

- The researcher clearly indicated and acknowledged the author where direct copy was used regarding others work.
- The researcher did not use other authors' work without acknowledging the source.

Failing to adhere to the above should be regarded as dishonest practices (Policy for Copyright Infringement and Plagiarism, Unisa, 2005).

1.12.3 Transparency

The Department of Correctional Services is a state department that is guided and regulated by the constitution. Its policies and procedures are subject to criticism either by non-governmental parties and the community. The community must be given an opportunity to criticize the policies without any fear. Such policies can be

evaluated, checked and evaluated. The community needs to get involved in rehabilitation hence the societal responsibility (White Paper in Corrections, 2005:23).

1.13 OUTLINE OF THE STUDY

The contents of the study are distributed across 6 chapters. Chapter 1 introduced the reader to the study. Chapter 2 covered the historical background of the study and how maximum security correctional centres were developed as well as overview of rehabilitation on long-term offenders. Chapter 3 dealt with the profile of long-term offenders in South Africa. The chapter also indicated the programmes that are suitable to long-term offenders. Chapter 4 focused on rehabilitation programmes as a tool to ensure effective imprisonment in maximum security correctional centres. This chapter also indicated how rehabilitation could assist in ensuring security and stability within maximum security correctional centres. Chapter 5 provides the results and effectiveness of rehabilitation programs in maximum security correctional centre. The information was gathered through consulting different literatures. Specific rehabilitation programmes have been identified and how they contributed to rehabilitation. Chapter 6 concludes with a summary of research findings and recommends strategies to improve the effectiveness of rehabilitation programmes on long-term offenders.

1.14 CONCLUSION

Chapter 1 introduced the topic of rehabilitation of long-term offenders in a maximum security prison. The problem statement questioned whether the rehabilitation programmes are effective or not. The researcher established if programmes can address recidivism and the relapse back to criminal life by long-term offenders or not. In that regard, programmes that do not address its purpose should be eliminated as they do not serve their purpose. Reports from the Department of Correctional Services have been taken into consideration in order to fulfil the objectives of the study. In Chapter 2, the researcher will focus on concepts of crime and how punishment is applied to the offenders who were found guilty by the court of law. The focus will be on long-term offenders in a maximum security prison.

CHAPTER 2

CRIME AND PUNISHMENT CONCEPTS AND APPLICATION THEREOF

2.1 INTRODUCTION

The context of this chapter is to describe aspects that define crime and its concepts, particularly the influences on crime whether it is attempted or committed crime. In order to clearly discuss crime there is need for clear understanding of its definition. In this chapter, aspects that occur after crime has been committed, the origins of both crime and punishment and how punishment is applied will be discussed. Theories and concepts of punishment were part of this study. However, punishment is not a new concept used to control crime as it can be dated to the ancient times as mentioned in chronicles like the Bible. This history was part of the study to support and clarify the origin and developments of the ideas behind crime and punishment.

2.2 DEFINITION OF CRIME

In general terms, crime can be viewed as violation of existing law or laws for which the state may consider or execute punishment. Different scholars have defined crime in many interpretations, the definitions of crime differ due to scholars perceiving crime from different platforms like legalistic or judiciary, political, sociological and psychological point of views (Schalleager, 2009:4). The phenomena regarding the definition of crime would assist to determine the effective measure that can be implemented in controlling crime.

It can be argued that in whatever terms crime is defined or thought to exist, there has to be terms that should be considered in order to meet the existence of crime. According to (Cilliers, 2008:11), such aspects are regulated by the legislation of countries. With regards to Cilliers' mind-set, it is therefore clear that not every action

that is not permissible by law can without doubt be regarded as crime without trial. Also, in support we see Rabie (1994:6) considering that the alleged crime has to meet certain requirements to be considered crime.

The whole point here is that crime cannot be explained in isolation without looking at the law as legislated; the law regulates how the citizens of a country should behave. It is therefore clear that breaking the law can suit the definition of crime in general. Burchell et al. (1983) recognised that breaking the law is a prerequisite for any deeds to be regarded as crime. Just to recap as indicated earlier, crime can be defined differently. In giving further clarity, Burchell explained crime as “conduct which common or statute law prohibits and explicitly subjects to punishment which is remissible by the state alone and which the offender cannot lawfully avoid by his own act once he has been convicted”. In another view, this explanation gives one an opportunity to judge actions that can be regarded as crime (Cilliers, 2008:12).

Siegel (2005:17) defined crime as a violation of societal rules of behaviour as regulated by people within the social and political powers with the input from the general population to the set rules. In a normal society, any violation to such set rules is expected to be followed by punishment. Tappan (1947:100) defined crime as “an intended act in violation of criminal law committed without an obvious excuse and can be penalised by the state”. It is clear that Tappan views any person committing any act of criminality as a person who must face punishment.

In addition, (Gottfredson et al., 1990:90) defined crime as “... acts of force or fraud undertaken in pursuit of self-interest”. This definition does not build on the legal definition of crime as an offense. It enables them to determine the nature of criminal acts themselves as scientists independent of political decisions. Gottfredson and Hirschi did not define crime in juridical terms. From their point of view, it is one and the same action, when carried out in different contexts, can be defined as criminal or not criminal. Certain elements were considered in Muthaphuli (2012:19) as part of the discussion of crime and these happened to be the following:

- **OMISSION BY ACT**

In this instance, there must be an action before a person is guilty of crime to deserve punishment for his/her thoughts or alleged crime. Some cases link thoughts to crime for example the treason cases where crime is linked to influential ideas of communism against the state. Using this criterion it is clear that no person can be punished for his/her thoughts without actions. For example, to consider murdering a spouse and end up not doing anything at all about will not be concluded as crime but hiring someone to murder a spouse and they do it on behalf is a crime to both involved (Pursely, 1994:42). This is where the issue of enclosed laws will prosecute the involved.

- **THE INTENT REQUIREMENT**

As the omission by act has explained and dismissed thought to commit what is considered crime with no act in the end, there has to be evidence to in the discussion of crime (Muthaphuli, 2013:19). The law requires proof to allow prosecution and conviction when crime is said to be in existence. To this effect, the law of intent was put into existence.

Pursley (1994:42) held the opinion that suggested two types of intent that include; specific intent and general intent. Specific intent forms part of many cases as they clearly indicate the main reason as to why the crime was committed or an act was done. For example, in a case of ritual murder one taking one's life with a belief that those human parts will make one rich. If one committed such murder with that intention he can be convicted of crime. The reason for committing crime does not dismiss that crime was committed since this involve clear violation with no evidence of mistake. If the same case was defended by claims of self-defence the matter could be considered differently. However, evidence will also play a huge role to constitute the act as crime.

In the case of general intent crime, is only considered that one intended to perform the act. Unlike specific intent that requires intentional unlawful action, general intent does not require an intentional unlawful action, but only that a wrongful intent came out as a thought that could have been committed: "general intent is considered to be presence of a criminal decision to commit an offense or deviate from standard

conduct when the offense or deviation in thoughts that may expose members of the society to danger” (Pursley, 1994:42).

Behaviour alone does not conform to legal conduct and harmful consequences. For example, in the case of driving a motor vehicle without a valid driver’s license, and being involved in an accident, he/she can be charged for murder as the law make provision that he/she had to have a license before driving a car in a public road. The person has voluntarily chosen that option of driving without a license.

According to Muthaphuli (2012:19), general intent crimes are not easy to prove as the purpose of committing such crimes is not necessary. It is based on the specific intent where the state must prove the liability of such crime that can lead to conviction.

• **VIOLATION OF ELEMENTS OF CRIMINAL LAW**

In terms of the acts under the section found in the criminal law, for anyone to be charged there has to be some form of behaviour that violets the set rules for them to be charged with crime. The question is any action that a violet the law crime or it depends on the circumstances under which it happens. Snyman (1989:530) made the following points on no crime without legal provision:

- A person can only be charged by the court of law only if his/her actions are regarded as crime by the court.
- A person can be found guilty if his/her action is acknowledged as crime during an act.
- Crimes should be clearly defined.
- Everyone must have access to the law making it easier to know which actions are regarded as crime or not to avoid any conflict with law.
- Without justification or defence.

According to Nesser (1993:17), it is evident that anyone’s action that is recognised by law as crime and by human perception in general does not necessarily mean they are guilty of the charges of crime and should not automatically be held liable of offense.

There is also a belief shown in comments by Muthaphuli (2012:20) saying an act cannot be considered a crime if it can be justified. In this case, he gave an example of someone who is under attack by robbers and they escape by a whisker after managing to kill the offenders breaking into his house putting his family at risk, such killing can be justified as it was aimed at protecting life.

2.2.1 Factors causing crime

Punishment, from a perspective of crime being committed cannot be discussed without looking at the causes of crime. Some of the factors contribute to crime committed by long-term offenders. There are a lot of influential aspects that can cause crime. A list of these factors includes low education level, poor career, training, unemployment, dysfunctional families and social life, mental health, substance abuse and inadequate housing or informal settlements. The above have impact in triggering the thought to do something that maybe benefit someone or may give them some commitment than to be unoccupied like for instance the use of drugs by the poor and unemployed. These negative social conditions have an impact to inadequate socialization and lack of respect to the acceptable norms and values, which is likely to contribute to criminal behaviour (Social Exclusion Unit, 2002).

Looking at the above, it is clear that psychological and socio-economic factors are likely to lead to crime being committed. According to the Social Exclusive Unit (2002), different scholars have identified key factors that contribute to criminal activities and such factors were identified as follows:

2.2.2 Lack of socio-economic factors such as:

- Education
- Employment
- Housing
- Financial support and debt
- Family relationships

These are generally support factors essential in one's life to allow for engagement with the society and consider them as part parcel of the society. By being part of a

system, someone will accommodate and practice the norms and values of that society. As indicated by researchers there are lack of acceptance of someone by the society. This can result in them being denied privileges and benefits of the resources and entertainment leading to offending and/or reoffending if not addressed. Facts from research studies support that employing someone can reduce the risk of offending by 25 per cent and 50 per cent, whilst an individual with a stable accommodation reduces the risk by 20 per cent (Social Exclusion Unit, 2002).

The possibility of preventing an offender from crime is always met by challenges. Such challenges include the absence of resources to support the whole community and corruption amongst those in leadership managing the resources of a community.

2.2.3 Psychological factors

- **Drugs and alcohol abuse**

Drugs and alcohol abuse contribute to high level crime by the offender. It can be mentioned that the offender under the influence of drugs and alcohol face challenge in reasoning properly (Chandler, 2009:376).

- **Mental and physical health**

The high level of stress can be resolved through the happiness within an individual. Personality had an indirect effect through the relationship variable. (Worthington, 2001: 447). It therefore means that the unhappiness within an offender can have an impact in committing crime.

- **Culture, belief and life style**

Any human beings have values, beliefs and life style. We need to have our own beliefs and attitudes. Such beliefs will assist us in leaving freely in the community. Offenders are not excluded in those values.

2.3 FEAR OF CRIME

Crime has been seen to have become a major social problem in society (Evans, 2011). The increase in crime rates and the publishing of crime statistics has played a role in making crime a common encounter. Some of the criminal offenders are seen getting away with justice even though the fear and effects of crime has contributed negatively to fear of crime (Muthaphuli, 2012:20).

Ferraro (1995:8) made the statement that fear is “an emotional response of anxiety to crime or a symbol of people trying not to associate with crime”. As example, Ferraro gave a scenario where individuals relocate to safer areas because of the fear of crime. However, the person’s reaction to fear may vary depending on the individuals (Muthaphuli, 2012:21). It can be said that fear may cause individuals to employ protection mechanisms, for example some choose to fit alarm systems to scare criminals instead of relocating to other places.

2.4 CRIME AND CRIMINAL JUSTICE SYSTEM

Michael et al. (2007:1) acknowledged that criminal justice has been accepted as a term that is used to cover the institutions that respond to crime after it has been committed and reported. Crime comes as a complicated issue that criminal justice as a concept of law that cannot be defined in isolation without looking at the role played by police, court and Department of Correctional Services. This generally means that any crime that is committed will have to be submitted to the criminal justice system for trial. In most cases, any crime is always backed with evidence otherwise the trial will become complicated and unclear to the extent that it will be very difficult to solve. The offender might end up being charged or released, either on bail or to walk free.

In the criminal justice system, each party has a role to play. The police have the duty to investigate and arrest criminals when crime has been committed. The courts have the responsibility to prosecute and sentence offenders through lawyers and judges. The Department of correctional services has the responsibility to enforce sentences as imposed by the courts and rehabilitate offenders depending on the outcome of the judgement.

The proper manner of acquiring knowledge of the criminal justice is to expand the knowledge in broader aspects that covers the three broad components of police, courts and corrections (Engel, 2001). From the researcher's point of view and from the governance of countries is seen, this ends up resulting in the involvement of constitutional laws and acts.

2.5 PUNISHMENT: DEFINED

Punishment can be defined as the infliction of a penalty, in compensation to a loss or suffering (Oxford Dictionary, 1990). Like other concepts, punishment can be defined in many ways regardless of different explanation, the fact remains that punishment is associated with pain. From a legal perspective, punishment is granted by the state courts for crime that has been committed by breaking the law.

Other analysts regard punishment as the result of an offence committed by an offender (Clark et al., 2008:4). Every system that deals with crime has a definition that associates crime with punishment as a way of controlling and minimising the number of criminal incidents. In scripts written in Cilliers (2008:12), it is indicated that the church has regarded punishment as the way people can clean their sins by suffering as it is commonly understood that no one enjoy the terms that comes with punishment. The system was more dominant during mediaeval period, the time during the 14th and 15th century.

2.5.1 The concept of punishment and the application thereof

The conditions of punishment are associated with changes to the emotions, discomfort and its results are always uncertain. Henry (2003:1) argued with criticism to the issue of punishments as quoted "does punishment work" need better clarity especially when "punishment and work" are distinguished. Offenders sentenced to long-term imprisonment are faced with the following effects when serving their sentences:

- The effects of long-term imprisonment on families and children of offenders.
- The effects of long-term imprisonment on partners of offenders.

Offenders sentenced to long sentences face challenges that must be aligned with certain programmes to decrease level of idleness in the centre. So, looking at his criticism and proposed ideology of avoiding idleness, one can have an understanding that punishment is something that should not degrade someone life but should be a corrective plan someone is imposed to bring them to the normal societal norms and values.

2.6 HISTORICAL DEVELOPMENT OF PUNISHMENT

2.6.1 Code of Hammurabi

The code of Hammurabi emerged during Mesopotamia period; this code saw long-term imprisonment because of a serious criminal offense committed. These kinds of offenses include murder and robbery. Earlier studies of crime and punishment management saw the conditions of judgment being associated with pain that will discourage an offender from committing crime. Leanne et al. (2008:55) dated the code of Hammurabi back to 400 BC when Pharaoh was the Egyptian ruler. In his time of authority as the only ruler, he had the authority to legislate laws that governed the behaviour of his people.

This law also had some common attributes to the meaning of its existence, like for example phrases like “eye for an eye”, meaning for any type of crime committed there has to be a suitable punishment for it. Serious crimes were subjected to the code of Hammurabi in a sense that the harshness of sentences during that era can be associated with long-term imprisonment imposed by the court of law nowadays. Punishment such as hanging, burning, drowning and impalement imposed during that era are now sort of replaced by long-term imprisonment. Such punishments are regarded as inhumane and barbaric. A critique by Carlson et al. (1999:4) on the code of Hammurabi clarified that its terms were aimed at regulating behaviour and taking vengeance to those who have disobeyed laws. They were firm to ensure that no one will take chances to offend at all, if so the harsh measure were not hesitated.

2.6.2 The Hebrew legal system (Mosaic Law)

Taking a closer look at the Mosaic code shows that it gave credit to the Israelites who obeyed God's rules. On the other hand, it is also aimed at establishing a certain group of people who fear God at all times. Any form of disobeying God's rules was accompanied by imprisonment as form of punishment. In this case, the long-term offenders were detained and punished for their crimes.

It is also noticed in Leanne et al. (2008:55) that the Mosaic code started when God gave Moses two stone platforms where Ten Commandments were written. These stone platforms were indicated in the books of Genesis, Exodus, Leviticus and Deuteronomy.

The Mosaic law was comprehensive and has similarities, its further interpretations were based on retributive justice, meaning that "life for life" and "hand for hand" (Exodus 21:23). It can therefore mean that if an offender has been sentenced for committing murder in return the offender will also be murdered as a form of sentence. In comparison, the code of Hammurabi was general, well-structured and had the same legislation that is applicable to everyone regardless of status. The terms codes of conduct do not share similarities; however, the Mosaic Law seem to bear harsh terms.

2.6.3 The Roman law

In the 753 BC, Rome was built next to the Tiber River. The formation of this empire saw the establishment of a republic that was named the Roman Empire, which established Roman laws. The establishment of Roman law was mainly to regulate behaviour. Failure to follow such laws was followed by imprisonment as form of punishment. The Roman law dates to the period 450 to 451 BC. During that period, a council of ten men was introduced. According to Allard et al. (2008:55), there were punishments like the death penalty through hanging, burning or clubbing, which was clearly written on the twelve platforms.

Some other forms of harsh punishments were part of the system, these included prosecutions by arrests through the debt collector. This was a way that avoided the escape of any offender.

Most importantly, the bronze platforms were mainly directed to deal strictly with private matters or disputes between individuals. Few other laws against the state were also formed and stipulated. Much emphasis of the Roman focused much on punishment that included death in a form of burning and arson. With time the Roman State started to establish specific courts to address problems within its society. It is during this period of the middle age when serious crimes were committed such as murder and that is when lengthy sentences were imposed and eventually long-term imprisonment

2.6.4 Application of punishment during middle ages

The middle age era brought with it some changes regarding crime and punishment management. The introduction of laws was also seen in England and in the United States with establishment of correctional services (Allard et al., 2008: 56).

In the middle ages, punishment became less and less brutal although people who committed crime were still subjected to some form of cruelty such as having their eyes taken out or testicles cut off (Roth, 2005). It is during this era that saw some laws being removed as courts redefined crime punishment associated with death penalties Morris et al. (1995:14). In the 1790s, the Netherlands legally abolished the torture, and other European countries also followed suit.

2.6.5 Development of prisons and punishment in ancient times

Quinn (2003:26) argued that the punishment in ancient times was more corporal; financial or capital. He also clearly defined that corporal punishment was barred on the fact that the pain must be applied to the offender for the crime committed. Punishment can also lead to the offender been killed. The Ancient Greeks believed that for punishment to be more effective, it must be more severe and would deter an offender from committing further crime. He continued to mention that offenders must

be discouraged from crime and encourage reform. According to James (2003:26), the Ancient Greeks preferred the following as form of punishment: stoning of slaves; burning of offenders alive; strangling to death; poisoning or banishing offenders. The Romans however, had the following forms of punishment to the offenders; fines, attachment of property, death sentences and banishing offenders.

The most severe form of punishment was also applied to the slaves and conquered people, which included dismemberment and death by burning or crucifixion. James (2003) noted that facilities were made available to hold offenders during ancient times for example cages, that were used to house offenders. This includes the likes of the Romans who built Marmette Prison during 64 BC to detain prisoners and apply corporal punishments.

2.7 THEORIES OF PUNISHMENT

Punishment can be viewed as a pillar made up of different theories that describe it as a tool used in behaviour management. These theories include deterrence, incapacitation, retributions and rehabilitation. The theories define the reason why punishment exist or how it is meant to be of importance as a correctional measure. Each of the above theories helps in determining the correct and suitable processes followed by the court. With respect to these pillars a fair and democratic practice of the law involves sentences that are in line with the committed crime in terms of the level of punishment. It is mentioned in Muthaphuli (2008:147) that all categories of offenders including long-term offenders must be punished for crime committed. Punishment need to serve a purpose, especially when sentence is applied to an offender. An article in Roberta (2014:02) pointed out that punishment include both legal and define concepts. Punishment must be evil and have the aim of putting pains to the perpetrator. Sentencing of offenders must have a specific purpose to address the type of crime committed. Each goal of punishment represents a quasi-independent sentencing philosophy.

2.7.1 Deterrence

This context has a condition that punishment has a deterrent effect when fear or the real imposition cause to pain or discomfort to an offender. It is expected that because punishment has the greatest impact when applied in a severe manner, certainly and swiftly individuals will have the responsibility to choose right instead of wrong to avoid the pain from punishment. It therefore means offenders have the responsibility towards acceptable life.

Most often, offenders who would have committed crime will definitely be in fear of consequences thereof. If perpetrators can continue with criminal activities without the state intervention through punishment the society will suffer. Deterrence comes in two ways, which both have the end result of punishment. Such deterrence can be either specific or general.

- Specific deterrence aimed at preventing any future criminal activities by individual offenders (Muthaphuli, 2008:48) this can also refrain an individual from offending again after been released.
- General deterrence stipulates and set an example that criminality will be followed by unpleasant punishment (Silverman et al.,1996:566).

How general deterrence functions:

- The existence of punishment is a threat to any individual who commit crime.
- The continuation of punishment on the moral conditioning of society in general (Cilliers, 2008:45).

The length of sentence imposed to long-term offenders will ensure that they realize that crime does not pay. The results of long-term imprisonment must be effective and seen by the victims and the community that has suffered because of crime.

Punishment must have a purpose to deter an offender from further criminal activities. According to Ball (1955:349), deterrence was based on the following conditions:

- The society has values that need to be recognized.
- The society has different population groups with different cultures and beliefs that should be respected.

- There should be norms from a societal point of view to prevent any unethical behaviour, which forms the basis of punishment.
- Punishment on its own is cruel and unpleasant however it keeps people away from crime.
- The confirmation of arrest to criminals who are against the system makes everyone aware that crime is an offence with no doubt.

Long-term offenders have more knowledge of the correctional centre subculture learned inside the correctional centre because of their long imprisonment. The long stay is another form of punishment and will deter them from any further criminal activities after release. The harsher and lengthier the correctional sentences, the more it deters offenders from committing further crimes.

2.7.2 Incapacitation

Incapacitation is a broad term of categories that define how different types of offences are managed by the court of law. The process of prosecution charges has different methods namely collective incapacitation, selective incapacitation and career incapacitation. Each defined as follows:

- Collective incapacitation means that offenders who have been convicted for the same offence should be given same sentence.
- According to Silverman and Vega (1996), selective incapacitation means that sentences are based on a background and forecasts of crimes that offender/s have been convicted of.
- Criminal career incapacitation means the identification of an offender with a high crime rate.

From the above, it is evident that long-term offenders who are convicted of long-term imprisonment must be given equal and same sentences. Such categories of offenders are those involved in high risk crime like armed robberies and murder.

2.7.3 Retribution

Retribution is the oldest theory of punishment. It is based on the fact that there must be a balance in society and the crime that have been committed. Such explanation of retribution cannot be confused with revenge. According to Burcha and Multon (1991:42), the concepts focus on the principle of equivalence. In this instance punishment is only applied by the third party, which is the state. If one looks clearly in the theory, it means society has to be compensated to balance scale of justice. Such compensation is based on the following:

EXPLANATION (PENANCE)

The principle indicates that the offender has to show remorse for the crime that was committed. The offender has to show remorse for the crime that was committed.

PUNISHMENT AS JUST A REWARD

Punishment must be justified, once the offender's guilt has been proven beyond reasonable doubt, punishment can be administered. Snyman (1995:21) emphasizes the important role of just reward.

SATIFYING (APPEALING) SOCIETY

According to Burchell and Milton (1991:43), it is important to consider the pain suffered by the society when crime was committed. If that is not considered the society might take law in their own hands.

2.7.4 Rehabilitation

The concept of rehabilitation was considered when long-term imprisonment in correctional facilities was discovered to have negative impacts especially when rehabilitation is less considered. Lack of rehabilitation efforts can contribute to recidivism where someone leaves the correctional services and still continue to offend, increase in gangsters and idleness amongst offenders as they did not gain a reform and a different ideology of a law abiding citizen. As offenders will loiter inside the centre with fewer programmes, they will remain attached to their history with no reconciliation. It means they are prone to still be involved in gang activities. Society

has the perception that rehabilitation will change the reasoning capacity and perception of a citizen. According to Balfour (2003), offenders are expected to learn sound work skills and go through educational programmes that will ensure effective reintegration into society. It is therefore important that long-term offenders are kept busy through such programmes.

2.8 FORMS OF PUNISHMENT

In the past, punishment has been associated with common forms that include death, torture, mutilation, branding, public humiliation, fines, forfeits of property, banishments and transportation (Harry et al., 2010:7). It therefore means that punishment take the unpleasant and discomfort as consequences of crime. For the purpose of this study, the following forms of punishment will be briefly discussed as outlined in Section 274 of the Criminal Procedure Act 51 of 1997 of South Africa.

2.8.1 Death penalty

The death penalty has been and is still debated on whether it is a correct form of punishment in some special circumstances.

The 1995 Constitution of the Republic of South Africa condemned this form of punishment (Cilliers et al., 2008:76). It can therefore be said that the death penalty was abolished because of the establishment of the new South African Constitution. However, there are certain African countries that still impose the death penalty, for example Botswana. Cilliers and Kriel (2008:76) mentioned the following as means of the old century death penalty:

- Human sacrifice
- Breaking of the wheel
- Crucification
- Stoning.
- Drowning
- Burning at the stake
- Flaying alive
- Being thrown into a pit with reptiles or beasts of prey

- Crushing of the skull by an elephant
- Beheading
- Hanging
- The electric chair

2.8.2 Imprisonment

According to Cilliers et al. (2008:84), imprisonment in South Africa entails the form of admission, confinement and detention of a person in a prescribed place. Such a person can only be imprisoned after the crime has been prosecuted, committed and has been found guilty by the court of law. The magistrate must sign the legal warrant authorising the department of correctional services to detain the offender.

The South African Law of Criminal Procedure make provision of the following form of imprisonment, namely:

- Ordinary imprisonment
- Periodic imprisonment
- The inter-determinate sentence or declaration as a habitual criminal

2.8.3 Fines

Cilliers et al. (2008:84) defined fines as a monetary sanction (or loss that the state or a duly authorised local authority may in their discretion, impose on the accused for the commission of an offence for which they are responsible. It can therefore be said that directly or indirectly, the offender is made to pay and suffer for the crime that he/she has committed. This option, as outlined in (Cilliers et al., 2008:76, it the following general principles, namely:

- The presiding officer must look at all facts including evidence before imposing fine.
- The ability of the offender in paying such fine.
- There must be specific tariffs to measure committed offences.
- The option of fine must be considered for first time offender with minor casual criminal cases.

2.8.4 COMMUNITY-BASED SENTENCES

The community- based sentence is when a court gives a sentence order that the offender serves or render some form of free service to the community Cilliers (2008). It should be that the community benefits from the offender as the service rendered are free without any form of remuneration. Cases that qualify such a sentence should minor casual offences that are not a serious threat to the community. The community-based sentence has the following benefit to the community based on these reasons, namely:

- The offender is kept out of the prison. In further understanding it can be argued that the offender cannot be of burden to the state and tax payer's money can be saved.
- The offender can continue with his daily life and responsibilities as a guardian or parent and support his/her family.
- The community benefit from the service rendered by an offender.
- Time for the offender to have their day to day own activities to earn a living must be offered as-well.

2.8.4.1 *General principles underlying the imposition of community-based sentences*

- The offender serving community-based sentences must be of a reasonable age in years.
- The community-based sentences must benefit the broader community not specific individuals.
- Conditions that are not seen in community based sentences cannot necessarily be linked to the allegedly committed crime.
- Community-based sentences are appropriate to offenders that are unable to pay fine or pay their victims depending on the level of their crime.
- Offenders must undergo strict trial criteria when they are considered for community-based sentences.

2.8.4.2 *Scope of community-service sentences*

The following provisions are important when determining community service sentences:

- The minimum sentence is of certain hours as per the specific laws of a country.
- The period of service is determined by the seriousness of an offence and whether the offender will be effectively monitored.
- Community-based sentences should cover both serious and minor offences.

Community based sentences are implemented internationally; South Africa is not an exception in receiving recognition by implementing correctional supervision (Cilliers & Kriel, 2008).

2.9 SUMMARY

When crime is committed, the set laws of a country should be tried on the case as prosecution after someone has been charged and arrested for committing crime. If a sentence is granted, there should be the involvement of rehabilitation programmes by the Department of Correctional Services that holds a legal mandate as supported by the South African 1996 Constitution to rehabilitate the offenders. At the same time, any crime that is committed must be managed with a form of punishment. Imprisonment is one most common form of punishing offenders who has committed crime. For punishment to be effective, long-term offenders must be put through rehabilitation programmes for they will one day be free in the society. Offender rehabilitation must be in line with strategic objectives of Department of Correctional Services and its goal of ensuring that offenders are secure and rehabilitated well to fit the requirement of a harmonised and civilised society. In Chapter 3, the researcher will address the historical development of correctional centres.

CHAPTER 3

THE HISTORICAL DEVELOPMENT OF CORRECTIONAL CENTRES AND ESPECIALLY MAXIMUM SECURITY CORRECTIONAL CENTRES

3.1 INTRODUCTION

This chapter aims to discuss the origin of correctional centres and the development of maximum security correctional centres in South Africa and the world. A historical perspective of correctional systems from biblical perspective will also form part of the discussion. Correctional services system has a long stretching history that dates to many centuries ago and since then have been associated with the existence of crime and punishment. The main issue to be discussed is the need for maximum security prisons and the issues related to their introduction.

3.2 DEFINED: MAXIMUM SECURITY CORRECTIONAL CENTRES

In general terms, maximum security correctional centres are supporting structures and organizations that are meant to separate offenders from society for a set period of time to restore good citizenship behaviour within an offender. They are set to build up a common societal ideology and mind-set in an individual to refrain them from breaking the rules of the community. During the period of arrest and imprisonment, all the offenders are secured with high alert security systems that ensure no one manages to escape. Such correctional centres are normally guarded by armed security and the environment is fitted with the latest technology such as cameras to prevent escapes. Offenders serving long-term imprisonment and who are sentenced for serious crimes are housed in maximum security correctional centres.

Snarr (1996:117) described correctional centres according to their custody levels. He further gave clarity on correctional centres established to provide different types of custody security levels as minimum, medium and maximum security correctional centres as they house offenders with different threat alerts. The context of his explanation of maximum security correctional centres included:

- Maximum security correctional centres that are surrounded by double fence or in other cases by tall walls.
- The tower posts are manned by armed guards for observation purposes at all times.
- Maximum security facilities normally have cell blocks on the inside.
- There are electronic devices like cameras for monitoring purposes.

The definition of correctional centres differs as per various authors understanding (Schmallerger et al., 2005:274). He described a maximum security correctional centre as a structure designed, organized, and staffed to confine the most dangerous offenders for long periods. He acknowledged the existence of highly secure perimeters, barred cells, and high staff to inmate ratios. There are also strict controls on offender movement and interaction with visitors and at the same time offers few correctional programs, amenities and privileges. A different view is also seen in Clear et al. (2005:236), where he indicated that maximum security correctional centres are designed and organized to exclude the possibility of escapes and violence, imposing strict limitations to freedom of offenders. In other words, maximum security prisons are also considered the most restrictive form of residential living for prisoners with little opportunity for movement within institutions (Mays, 1998:26). In this context, the long-term offenders because of their serious and violent crimes, they are considered detained in maximum security facilities. This is how and why long-term and serious offenders end up in maximum security facilities.

3.3 THE ORIGINS AND DEVELOPMENT OF PRISONS FROM THE BIBLE PERSPECTIVE

The Holy Scriptures of the Middle Kingdom Ages of 1768 B.C provides evidence of the origin of prison services. During that era, the famous man Samson was captured by the Philistines and was put in prison, they removed his hair and took out his eyes. He was given prison work of grinding corn. This can be considered a harsh punishment as a sentence to Samson's alleged offences.

In the Bible scriptures, especially the books of Numbers, Exodus, Genesis, Leviticus and Deuteronomy, readings of the scriptures clarify that prisons have been in existence many centuries back and punishment has been part of them. Examples are:

- In the books of Genesis (39; 20-40:5), Joseph was made a slave by Potiphar. In other scriptures of the book of Genesis Pharaoh's prison was regarded as the place where forced hard labour was done as form of punishment. Joseph's brothers were also arrested and detained for three days as they were suspected as spies in Egypt of the middle kingdom.
- In the book of Exodus 20:1-17, God established commandments through Moses, such commandments formed the bond between God and the whole Hebrew nation. Those who offend and go against the rules are believed to have been punished by God (The Oxford History of the Prison, 1995).
- According to Leviticus 24: 10-23 and Numbers 15: 32, offenders put in temporary custody until capital sentences could be carried out.
- The Jewish Society spoke about the Prophet Jeremiah. They claim that his divine scriptures were not welcomed by the Kings and Priests of the society during that time (Jeremiah, 29: 24-29)

From the above, there is evident that prisoner rehabilitation was something that was not seen in societies and this is also supported by biblical scriptures. Non-evidenced claims say even God himself did not rehabilitate offenders but punished them according to the crimes that they committed. Once such claim is of God punishing Adam and Eve in the book of Genesis when he removed them from the Garden of Eden.

3.4 HISTORICAL DEVELOPMENT AND ORIGIN OF MAXIMUM SECURITY PRISONS

There are different views to the history and origin of prisons. Labane (2012:31) realized that many authors have given different opinions regarding the origin of prisons. Such differences make it unclear to understand the reality of how prisons emerged into existence. However, there is understanding that prisons did emerged some centuries ago as in the Egyptian era during the time of Pharaoh of Egypt. This

is a good example, as we see Pharaoh imprisoning and allowing the beating in public of those judged to have offended by deviation from the rules he has set the Egyptian ruler.

According to Allard (2008:134), maximum security prisons were built in a structure that resembled the fort that was built in 1652 by Jan Van Riebeeck in Cape Town. The stones, which built the maximum security prisons, were used for cell blocks, an auditorium and laundry rooms. It is clear that such construction was aimed at ensuring that escapes were impossible.

Findings by Allard (2008:138) were that that prisons that were established during the mid-1800s and the 1930s were of maximum security. These were featured with double fences and high walls ensuring maximum security to halt escape of any offenders. There was also security patrolling to visually monitor the perimeters and premises. Such facilities housed death row, have life imprisonments without parole or those serving long-term sentences (Berk et al., 2003).

From submissions made in Sullivan (1991:1), is indicated that prison reforms had a long and unhappy history, associated with human punishment of evil nature, and some prisons had redemption. According to Calvin (1998:2), Colditz Castle is known to be the first maximum security prison to be built in Germany. The walls were said to measure three meters thick, built on solid rock and had a death drop should anyone get past the wire. Its location was positioned over three hundred kilometres from the nearest safe border of Germany and housed those offenders who had escaped from other prisons in Europe during the Second World War.

Joseph (2004:5) indicated that in the United States of America, Alcatraz was their first maximum security prison. This prison was located in the middle of San Francisco Bay. In 1850, this San Francisco Island was set reserved for a United States military camp. This Island was used for eight years from the same year up to 1933. Later on, the facility was transformed to a Department of Justice for use by the Federal department. The Federal Bureau running the facility decided to create a maximum security prison, where those imprisoned would have limited freedom, the inmates were to be kept under serious secure watch to separate them completely

from the law-abiding citizens of the society. From the 1920s to the 1930s, the system was very tough and focussed on stopping crime. Eventually, Alcatraz was shut down in 1963 due to the fact it was too expensive to run when compared to other prisons.

3.5 TYPES OF MAXIMUM SECURITY PRISONS HOUSING LONG-TERM OFFENDERS

3.5.1.1 *Introduction*

The most commonly seen trend was that these maximum security prisons were generally designed for, and housed those offenders who committed serious crimes and were sentenced to long jail sentences. The crimes involved among others murder, robbery, kidnapping and terrorism. The common features of the prisons were high and thick walls and strong fences. The walls had electronic monitoring and alarm devices. Also, all the visitors who visited were searched by X-rays that were meant to search for drugs and any form of weapons. Within this system there was no chance of escape at all.

3.5.1.2 *Super maximum security prisons*

Silverman (2001:161) claims that the super maximum security prisons, that were also known as Maxi-Maxi or closed security prisons, can be defined as a free-standing facility, or a distinct unit within a facility, that provide for the management and secure control of inmates who have been officially designated to exhibit violent or seriously disruptive behaviour while serving justice. Their premises were considered maximum detaining facilities due to the existence of heavy fences, thick walls, armed guards, electronic detector alarms and high security measures of surveillance. These were seen being implemented in many nations for the guard of dangerous uncontrollable inmates. Around these facilities, both outside and inside, there was strict and tight monitoring and restriction of movements. Prisoners were made to spend most of their jail time locked up in cells. Most of the prison services did not offer any form of social activities to refresh and occupy the minds of the prisoners. Such activities can result in idleness and violent unsocial as offenders were made to think of their life, family and all they see most probably were problems and end of life.

This is done to ensure they feel the impact of being in prison. This definitely restricts their social life and general feeling of open space and other forms of entertainment. Even when they eat, they used to be monitored with a very limited time to interact, chat and get to know each other. Communication was through microphones and speakers, also inmate movement were also monitored by video cameras (Riverland, 1999:16). These were secure prisons to house very dangerous criminals away from the society, since they are a real serious threat. However, the system did not offer any reform or form of rehabilitation.

3.5.1.3 *Maximum prisons with maximum security*

Schmaller (2005:2470) held the view that there were similarities within these high security facilities, being the maximum prisons and the super maximum prisons. They described a maximum security prison as designed and equipped with a form of setting that can hold offenders of high threat to the society, that is those with serious unruly crimes and who deserves to stay in prison for long periods. It is further argued in Champion (2001:186) that these facilities were also constructed to keep offenders with a violent behaviour and a known history of escaping from prison or of causing havoc and disturbances in other low security prison facilities. One example of criminal that were seen in these facilities were those who offended repeatedly. Champion's (2001) thinking was that these prisons had strange and unusual restrictions like the isolation of prisoners from one another in single personal cells for long periods of time. Like in super maximum security prisons, Stinchcomb (2005) claims that the surroundings of this type of prison were well monitored and guarded and characterized with limits that were carefully controlled. Offenders were frequently checked and counted for presence to ensure custody.

During visits, offenders were always escorted by armed guards. This was also done if they were required to offer a certain service like working somewhere as community service that benefited the state. During this period, they were put under physical halt with handcuffs or some sort of chains on either their legs or hands or both to minimize movement.

The following tight restrictions to offenders were noted by Silverman and Vega, (1996);

- All programmes were conducted in their cells or other secure perimeters.
- Visits were made with no physical conduct between the prisoner and the visitor.
- Offenders were made to have their meals in their cells.

3.5.1.4 *Private maximum security managed prisons of the ancient times*

Mulone (2008) mentions the existence of private prisons; he described them as a transfer of public prisons facilities to private management and maintenance in the form of a contract by the government with close monitoring and auditing. The contracts were multiple, including the provision of services like medical care, food, transportation, welfare and wellbeing of offenders. The conditions of the contracts were that all the agreed terms were to be followed and if any breach to the agreement will terminate the contract with fines.

There is a long history linked with private prisons as per the writings of Reed (1907). It is also believed that in the 1880s, private prisons were created through custody lease agreements. Offenders were given contracts to work in construction companies and other companies through private management of prisons. Their contracts were not personal but were contracts meant to generate revenue for the prison services as an initiative to avoid allocation of a budget to these public government prisons. At the same time, the government generated revenue as the prisoners did extra work in these companies.

Even though the state benefitted from this the convict lease system, such an initiative of private contractors as prison management was associated with many bad influences and practices like arranged fights, occurrence of protests and riot activities, confrontations among inmates and also between the inmates and the security guards, poor diets. There was also issue of overcrowding that emerged as these private contractors ended up working for more revenue by accepting too many prisoners than the prison cells can accommodate in order to increase their labour capability. This was observed to trigger poor diets, poor health and high mortality rates (Perkiston, 2009).

The state that started to contract with private entrepreneurs in America to house prisoners was Louisiana. Their engagement used the convict lease system. In New York, Auburn and Sing prisons were the pioneer private prisons and many several others emerged in the Southern States. As time went on, the privatization of prisons became popular (Smith, 1993).

This convict leasing agreement continued for about 20 years as the correctional and rehabilitation system. Afterwards there was great criticism and opposition from various institutions like reform organizations, business organizations, labour representatives forcing the state to manage the prisons well through advocating for the prisoners. This saw the ending of private prisons (Smith, 1993). There were no more private prisons for about a decade till the 1980s.

According to Matshaba (2007), private maximum security correctional facilities may be regarded as an agreement between the government and the private company for rendering the services on behalf of the government. Privatization of prisons in South Africa is a new concept. The first two private prisons are in the Free State and Limpopo. The Correctional Services Act 111 of 1998 contained a section which authorizes prisons to be contracted to private contractors.

South Africa has two main maximum security prisons. Section 103 of 1 of the South African Correctional Services Act provides for the minister to, subject to any law governing the awards by the state, with the concurrence of the minister of finance and public works, enter a contract with any party to design, construct, finance, and operate any prison or part of prison established or to be established. The following are specific requirements that private prison should have;

- No contract will exceed 25 years.
- The services given must protect and provide a just, peaceful, and safe custody.
- All prisoners need to be respected and treated with dignity during imprisonment and promoting development of all offenders.
- The contractor is prohibited in determining where offenders are to be detained.

Section 109 of Correctional Services Act 111 of 1998 allowed the role of a supervisor who monitors and controls how prisons are managed. The main important tasks for the supervisor were mainly related to auditing and investigation of any issues.

They had to ensure that there is maintenance of order, no corruption oversee discipline and good rehabilitation of offenders through social programmes that allow restoration of good and law-abiding citizenship.

3.6 THE ORIGIN AND DEVELOPMENT OF PRISONS INTERNATIONALLY

3.6.1 The Medieval era and the development of prisons

Allaid (2008:56) argued that there were significant changes in Europe with the prison system and issues relating to crime and punishment. During the medieval period, the Romans started to occupy Britain and their occupation came with many changes in the customs department and the values in society. Around 50AD, the Roman Kings had major influence on the customs and values. Feudalism had its main aim on middle ages and has the contributing factors on social control. There were social classes of power controllers in England's social system namely, the feudal lords; knights; barons at the top; ordinary citizens in the Middle Ages; serfs and peasants working at the bottom (Roth, 2005).

The England society had a lot of different types of people with different mind sets and ideologies. This ended up with a council that had a platform that allowed settling of disputes among the people. This was called the Anglo-Saxon political system that had numerous local courts in the different societies. The system saw lots of changes to the objective of solving landlords' punishment from capital punishment to taking out eyes from the prisoners to mutilation (Roth, 2005). A view given by Paranjape (2005:349), sees the medieval period in the history of American colonies witnessing a period of barbarism and deterrent. Criminals were severely punished, tortured and brutally treated. For any kind of offence minor or serious, the punishment was the same, which included death, public humiliation, branding and whipping.

In this era, prisoners were ill-treated. The ill treatment of offenders led to the establishment of “The Penn Charter” in 1786. The main concern of this charter was to oversee the following:

- To allow that offenders to be released on bail.
- Anyone who was put in prison wrongly must be compensated.
- Prisoners should be allowed to have choice on their food.
- No to publicized punishment.

This charter changed and made the treatment of prisoners a little bit better. In 1755, there was the introduction of Philadelphia prison. The charter also classified prisoners in two main categories, real criminals and ordinary criminals. Real criminals were those with serious crimes, were put in solitary cells and were not allowed to work while ordinary criminals worked in workshops during the day.

3.6.2 Development of imprisonment prior to 1780 in the USA

After the USA experienced a revolutionary reform around, 1870 prisons started to be built (Duffee, 1989:260). It is also mentioned that around the 2000 BC the Israelites came with the belief that if someone respects their church religion they will be better off criminal activities. Prisons started to be overcrowded and according to the (National Advisory Commission,1973:198) on criminal justice standards and goals: it was then decided that offenders need to be classified according to age, sex and reason for their imprisonment. During the mercantile era, imprisonment also involved transportation of offenders to other European countries as a form of punishment.

3.6.3 Eastern Penitentiary; Western Penitentiary and Pennsylvanian Systems

Glarris (2005:37) claims that the Western State Penitentiary was set up in Pittsburgh in 1826, and the Eastern State Penitentiary was opened during the same year outside Philadelphia and was known as Cherry Hill. The day to day running of such prisons was tough and prisoners faced many hardships in those prison facilities. There were strict isolations and monitoring. There was no comfort or freedom at all for the prisoners. According to Gibbons (1996:352), this system failed and was abolished in 1913.

The removal of this system was mainly due to it failing to offer rehabilitation to the prisoners. They had no platform structure and programmes that provided social reconciliation. Some of the problems were:

- Lack of sound supervision and financial constraint to allow the building of proper cells for offenders.
- The classification of different types of offenders and their isolation.

The Auburn System then replaced the Pennsylvanian Penitentiary System. Duffee (1989) explained that the Pennsylvanian System indicated that John Howard's recommendations formed the basis of building the Pennsylvanian Prison. The Eastern State Penitentiary at Cherry Hill was the idea of English Architect Havilland on the workhouse of Sam Michelle (Hawkins, 176:4).

The rules of the prisons supported isolations and complete silent. The cells housed only one prisoner and allowed space for exercise and personal work. All new offenders were blind folded and were then put to their cells and have to remain there at all times (Barness et al., 1951). Robert Vaux wrote the following as principles on the penitentiary system of Pennsylvania in 1827:

- No to brutal revenge treatment of prisoners, instead they need to be made aware that crime is bad through understandable forms of punishment that will transform their lives.
- No to corruption in prisons, all offenders should be kept in solitary confinement
- Isolated confinement will ensure that the offender mend his ways and improve in moral guidelines.
- Isolated confinement ensures discipline among offenders.
- Solitary confinement is more economical, as offenders will have to be kept for short period.

3.6.4 Auburn system

Larrys (2005:37) acknowledged that the American Revolution in New York resulted in the replacement of the Auburn System. During that era, the USA wanted a place

where prisoners could be kept. This is when the idea of setting a Greenwich Village Prison Section of New York City, developed.

This new prison housed offenders of different characteristics, which included adults; young prisoners; men and women. In 1816, Auburn Prison was developed with an ideology of isolation and silence of prisoners. Lynds et al. (1784) confirms that offenders were only encouraged to read the bible. This system still experienced overcrowding and riots.

In addition to that, Nesser (1993:651) mentioned that the Auburn system had the following principles:

- Prisoners had to work in groups in workshops during the day.
- At night, prisoners were housed in separate shops cells.
- In the workshops, absolute silence had to be maintained.
- Disregard of these directives resulted in session punishment.

There was no social life under this system and this means that this was not suitable for long-term imprisonment. The system was very weak on rehabilitation efforts as offenders were totally segregated from each other and the community.

It is also mentioned in Larrys (2005) that the Auburn System involved various forms of punishment that prisoners were subjected to, which included hard work; social isolation; strict disciplinary proceedings, what they called the silent system and corporal punishment. In 1826; the New York Security at Ossing was set up. Mainly, the Auburn System was concerned with the control of the prison environment (Bartollas et al., 1992; Jolison, 1996). This is also supported by Duffee (1987) who said that the Auburn System had a concrete silent system of maintaining discipline. He continued that offenders could meet during day time but at night they had to be separated in their solitary cells. Cells in an Auburn System facility were tall with a good secure design that hindered any chance of escape. At some point, a prison warder called Elam Lynd came up with the idea that offenders must be kept silent at all times. Anyone who disregarded this order of the prison was subjected to punishment and most of the times it was by whipping. According to Rothman (1977),

Elam also engaged with the Minister's office to ensure that offenders be seriously punished for breaking rules.

Paranjape (2005) established that analysis of the two systems, the Pennsylvanian and Auburn System imposed prisoners to non-social measures and lifestyle, which was more like torture. The only difference between the two was that in the Pennsylvanian System, prisoners worked together and were allowed interaction and although they lived in isolated cells, they could know each other, while the Auburn System provided work during the day where offenders could know and see each other, but communication was not allowed. The Pennsylvanian was more like a separate system and the Auburn a silent system. Both systems were not suitable for long-term imprisonment since on release there was a need to reconcile and rehabilitate the person to the societal values and social system to fit into the community.

3.6.5 The Walnut Street Jail

There was a lot of political influence on the Walnut Street Jail. A man known as Dr Benjamin Rush advocated a particular way that prisoners should be treated. His take was that all the critical criminals with serious offenses must be put in isolated cells since they are regarded as a threat to any environment. As prisoners provided cheap free labour through performing state contracted tasks on for example farms, they were regarded as a source of food and the food they produced was sold on the open market (ACA:1983).

Johnson (1987:240) clarified that there was no room for the inmates to chat or converse at all in prison. Prisoners were not allowed to be seen in groups as the security feared that they may end up planning certain things like escaping.

3.6.6 The late nineteenth century prisons

Around the 1870s, prisons were seen to have a lot of negative issues like brutal treatment of prisoners, corruption, and overcrowding and staff shortage. These were situations and ways that the prison management used to control and run the prisons

with total control. Treatment of prisoners involved intimidation through beating and corporal punishments. Social institution, education and the church were not given any significant role to influence rehabilitation of prisoners. The fact that prisoners were kept in their cells most of the time meant that there were Idleness. A huge part of the American penal systems was made of Blacks. Most of these prisons treated inmates like slaves. At day time prisoners were guarded by White guards (Oxford History of the Prison,1995:175).

The Oxford History of the Prison (1995) confirms that in Mississippi, inmates were made to work in agricultural fields. There were different types of cells and cell conditions seen by Nagel (1973), these included six types, inside cells, outside cells, segregation cells, large cells with four to eight beds, open wards and cubicles. He continued by saying that segregation cells were regarded as temporal assignments.

Further clarification was mentioned by (Duffee, 1989:281) who described prison administration as one that subjected prisoners to a hard time in the maximum security prison as punishment to their bad behaviour by making their life difficult. Offenders sometimes asked to be accommodated in administrative segregation because of safety reasons.

3.6.7 The development of prisons in the late twentieth century

In the late 19th century, conditions in prisons and treatment started to change from a hostile management and punishment oriented treatment to a more rehabilitative management and treatment (Welsch, 2011:68). However, working in state contracts and farms continued for the benefit of the state, profit making and boosting of productivity. Prisoners started to be trained to attain skills, discipline at work and also encouraged understand the idea of working as a benefit to them as-well so that they know that through working there are using their time effectively. Barnes et al. (1946) lists the following as certain projects that were seen coming up within the prison:

- State use system – where things like furniture, clothing and food was made by inmates and sold to other state departments or agencies.
- The contract system – under which the private business became part of prison industry as they supplied raw materials.

- The leasing system – prisoners were hired to private people and they were responsible for their transportation; safe guarding and discipline and that benefited the state.
- The piece-price system – the private business provided raw materials, which prisoners worked on example, the walnut street jail.
- Public works and ways system - where prisoners were used to maintain public roads and highways such idea benefited the states to avoid maintenance costs.

Somehow these systems succumbed due to the mentality that the goods were produced by prisoners. People were just negative on the goods and service being delivered by prisoners. People in societies believed that contract tasks are supposed to be executed by ordinary people in the society and not by prisoners (Welsch, 2011:68). Before 1959, the treatment of prisoners did not involve any form of rehabilitation. According to Coetzee (1995:29), the reduction of sentences on offenders relied on visitors whether they can have inputs, or on the prisoner being able to work hard. Conditions in cells involved the following:

- The colonial countries had influence in prison matters and much emphasis was on punishing offenders than rehabilitation.
- The issue of racial segregation was another feature of Act 13 Section 9(1) that made specific provision for racial segregation. According to Smith (1992), “In practice, segregation was now enforced vigorously throughout the union prison system”.
- The prison system as per Act 13 was based on segregation as non-White offenders who were subjected to hard labour and White offenders were allocated light work at workshops.
- Coloured offenders were subjected to segregation as they were given an opportunity to work in road camps.
- Offenders were subjected to cheap labour and external contractors preferred hiring offenders. It was during that time that farm prisons emerged.
- A particular weakness of Act 13 was that it did not include the purpose of imprisonment (Smith, 1992).

3.6.8 Housing long-term offenders in maximum security prisons

Carison (2008:31) gave facts that the design of most prisons does not really allow long-term imprisonment due to lack of proper rehabilitation programmes and space for social activities. Because of this setting there is no effective rehabilitation and social exposure, which pose challenges to long-term imprisonment and it merely results in psychological impairment to those with long-term sentences. Before 1994, most states had reforms that worked on redesigning prisons and cells to allow long-term imprisonment with limited negative outcome. Peter (2008) believes that overcrowding is caused by long-term sentences for serious and violent crimes. Such long-term sentences and overcrowding also contribute to riots and gangsterism as offenders can easily influence each other.

American prison systems gave limited attention to the pitfalls that come with long-term imprisonment and offenders were not considered to have rights. Magham (1996) argued that in United States, about 2 500 American prisoners were serving death sentences and there is great possibility that they may face execution. Different analysts have different thought regarding the issue of long-term offenders. Duffee (1989) associated long-term offenders with danger, whereas Flanagan (1991) claimed no direct causal relationship between long-term offenders and danger. This in other words meant that offenders with different crime charges and sentences can be housed together. He continued to say there were no appropriate maximum security prison facilities for those with serious crimes for them to be treated according to their escape risk and behaviour.

Flanagam (1991) vowed that long-term offenders were expected to face their sentences in isolation in maximum prisons. Those long-term sentenced inmates were also not allowed to be close to anyone without close security monitoring. With time as they were close to be released, they were made to be more social and were given tasks as dog handlers, cooks, maintenance and plumbing.

3.6.9 The establishment of a unified prison system in South Africa

All the South African prisons were under the management and direct authority of central government (Du Preez, 1974). Mr J Roos was appointed the Secretary of Justice and Director of Prisons in May 1910 as a way of making all the prisons run under similar administration. He then established Act 13 of 1911, which included the following conditions:

- Before 1959 visitors were made to decide on how prisoners must be treated whether prisoners deserved a reduction in their sentences, whether they have to perform forced labour or not.
- There shall be one Union of South Africa regulating the administration of prisons. Section 3(1) of Act 13 of 1911 stipulated that there shall be a prisons Department led by an officer who will be the Director of prisons, appointed by the Governor.
- Section 3(3) says the following regarding prisons: The duties of the prisons Department shall be the performance of all work necessary for, arising from, or incidental to, and keeping of full statistics in relation to, the administration and control were emphasized, but here, the offender's rehabilitation was totally ignored.
- Smith (1992) challenged Act 13 that it did not set out the aims of imprisonment clearly.
- Forced labour was the main punishment for crime committed.
- Smith (1992) also see racial segregation being clearly stated under Act 13, Section 9(1) saying that "in practice, segregation was now enforced rigorously throughout the union prison system".
- The prison Act 13 made provision that Coloured offenders be given external labour while whites were given internal labour.
- The worst part of Act 13 was that Coloured offenders incarcerated for pass laws had to work on road maps.
- The ideology of prison labour became more dominant as it was regarded as cheap. Such idea led to the establishment of prison farms.
- The unskilled labour practice by offenders did not have ethical values like recognition of human dignity, positive application of the freedom of a person and meaningless of his existence.

In 1945, the Lansdowne commission was established to look at the idea of reforming the penal system. The commission uplifted the offenders living conditions in correctional facilities.

3.7 THE ORIGIN AND DEVELOPMENT OF SOUTH AFRICAN PRISON SYSTEM DURING THE PERIOD UNTIL 1910

In the 1600, the Dutch occupied South Africa and one of the measures they implemented was punishment through pain. Offenders were taken to other countries as slaves and to Robben Island if they question and refuse to follow oppression orders (Nesser, 1989). Coetzee et al. (1993) claimed that during the time of Jan Van Riebeeck at the Cape, imprisonment was not recognized as a form of punishment.

Those who offend were subjected to public punishment to ensure fear is imposed to the general population. There were several forms of punishments that offenders were subjected, which included:

- Mutilation
- Death through crucifixion
- Fracturing limbs
- Piecing with a steel pin
- Strangulation

Brutal punishment to work for the state for free was other forms of punishment. Cape Town had the first prison in 1781 and other prisons followed in Pietermaritzburg around the early to mid-1800.

In Cape Town, offenders were kept in places that were built of high walls and had secure security surveillance and monitoring. A lot of offenders were taken to a prison that was built in Robben Island and offenders were separated according to their society. As Smith comments, "Deportation removed the criminal from society, which did not much interest in his welfare". Therefore, it means offenders were deported not considering that they need to be rehabilitated through programmes in prisons but to put them away from being an influence of justice from the society.

In 1975, treatment of prisoners changed: from physical harm, prisoners were subjected to imprisonment and working in industries that benefitted the business industry. This shift from the general old system of physical punishment saw farmers and mine owners benefiting from the cheap labour as prisoners were made to work in the farms and the mines for free.

One of the mines that benefitted in 1871 was the De Beers Diamond mining industry. Offenders who worked for the mines were housed in the mine compounds as prisoners. The houses they stayed in were allocated according to race, Black Africans were put in crowded low-class compounds and those of other races were prioritized to better compounds. The state was the best supplier of cheap labour and allowed the generation of maximum revenue.

This is supported in Smith's statement: "The role of the state as the provider of unskilled Black labour for the mines through the penal system had become manifest".

A certain legal system was introduced that enforced the unfair treatment of offenders based on race. In the mines, White workers were treated differently from Black workers. The Lansdowne Commission tried to abolish this system pushing towards fair treatment of workers and prisoners in 1845. Even though a lot of activists tried to put forward suggestion and petitions to equalize treatment of people of different races, this was not accommodated. The Lansdowne Commission's resolutions were not attended to and hence treatment remained the same amongst different races.

3.7.1 The establishment of a united prison system in South Africa

3.7.1.1 Introduction

Du Preez (1974) indicated that in 1910, Roos became the Justice Secretary, which was aimed at making unity to all prisons, this saw the creation of the Act 13 of 1911, which meant the following:

- There shall be one union of South Africa regulating the administration of prisons
Section 3(1) of Act 13 of 1911 stipulated "there shall be Department to be known

as 'Prisons Department' in exchange of which shall be an officer to name the Director of Prisons, appointed by the Governor general".

- Section 3 of 3 stipulates the following regarding prisons: the duties of the prisons Department shall be the performance of all work necessary for, arising from, incidental to, and keeping of all statistics in relation to, the administration and control and rehabilitation of prisons that was totally ignored.
- From Smith's (1992) writings, Act 13 did not specify aims of imprisonment clearly.
- Smith (1992) spoke on racial segregation, clearly stating that the 13 Section 9 of 1 he stated that "in practice, segregation was now enforced rigorously throughout enforced rigorously union prison system".
- The use of prison labour got popular as cheap labour and such idea led to the origin of prison farms.
- Forced unskilled labour practice by offenders had no respect to the prisoners as workers did not have ethical values like recognition of human dignity, positive application of the freedom of a person saw meaningless of his existence.

In 1945, the Lansdowne commission pushed towards recognition of prisoner treatment.

3.7.1.2 *Prisons administration during 1900 century*

As per the white paper in corrections (2005), the 1900 era unfolded with issues of overcrowded prison facilities due to lack of monitoring and some unjustifiable laws and unfair treatment. Each province in South Africa was given the freedom and rights to form a local government system that would carry out the monitoring and management of prisons under that province. It is during this period when some mining sectors began to use prisoners as cheap labour.

In 1910, South Africa came up with an act called the Prisons and Reformatories Act 13 of 1911, which was born of the union meeting and conference of 1910. This passed act allowed and gave prisoners the right and privilege to appeal with the courts if they feel that they have been ill-treated or unfairly handled. As time went on offenders were remitted for good behaviour and some being punished through whipping, solitary confinement, denied meals or additional labour for bad behaviour.

There was not much effort made with regards to rehabilitation and reconciliation programs. Most of the long-term imprisonment serving offenders ended up with hooligan behaviour, as they were subjected to hard conditions and had no social exposure.

3.7.1.3 *The 1945 Landsdowne Commission on penal and prison reform in South Africa*

The Lansdowne Commission failed to bring change and better management of prisons in South Africa. Its recommendations still remained with harsh treatment rules to those who commit crime instead of treating imprisonment as a reconciliation and rehabilitation facility. The rules were more effectively implemented and stressed non-white prisoners. The following were enclosures of the commission outcome:

- Some offenders, mostly blacks, were not to be hired out on outsiders.
- It aimed at increasing high level of illiteracy amongst black prisoners.
- Black prisoners were subjected to harsher punishments.

3.7.1.4 *Prisons in the early 1960s and 1970s and the introducing of Act 8 of 1959*

In spite of the prison Act 8 of 1959, bad conditions still remained in prisons and these conditions got worse. The following was experienced after the outcome of the Act of 1959, namely:

- Few changes and transformation to the prison management system and laws.
- Increased racial segregation to offenders.
- There was increased militaristic management approach to commissioned and non-commissioned staff.

Correctional Services Act 8 of 1959 considered how offenders should be treated in line with the Mandela Rules for the treatment of offenders but less consideration was done on punishment of offenders (Correctional Services in Focus, 2005). The prison conditions were worse until the existing act was replaced by Correctional Services Act 111 of 1998.

3.7.1.5 *The prisons department during the 1980s and offender treatment*

In the 1980s, some changes were seen due to overcrowding in prisons in 1984. The judiciary system at that time tried to implement an equality act to solve this problem. The following year of 1985, more prisons were made available as a solution to the problem following the state of emergency that was declared towards overcrowding prison facilities.

3.7.1.6 *Prison reforms in the early 1990s and the demilitarisation of the prison department*

In 1990, the then government of South Africa made an announcement of the introduction of prison reforms in the South Africa's judiciary systems. This meant the separation of the judiciary service department and the prison services into two separate entities, Judiciary remained the law enforcers and the prison was made the correctional services department focusing on prison services. The 1993 interim constitution came with changes that affected offenders' as well.

On 21 October 1994, a paper named the White Paper with Corrections on the Legislative Legal Frame Work was compiled and eventually leads to the demilitarization of the department on the 1st of April 1996. This came with the removal of most of the oppressive laws from the Department of correctional services and focused on offender rehabilitation and development (White Paper on Correctional Services, 2005).

3.8 ORIGIN OF LIFE IMPRISONMENT

3.8.1 Life imprisonment: Defined

Offenders who committed serious crimes such as rape and murder were sentenced to life imprisonment. This kind of punishment was seen to be granted within the authority of state judiciary systems. The conditions of imprisonment also involved life sentence imprisonment for crimes that make someone a serious threat to the society specially when correctional services are seen not be fully efficient to offer

rehabilitation. However, this condition was observed to cause a lot of negative impact to prisoners and their families:

- Social isolation
- Total dependence
- Suspension of time
- Prolonged sexual abstinence
- Loneliness
- Loss of responsibility

It therefore means that life imprisonment itself is another form of punishment, which is not pleasant to an offender. The consequences that surround life imprisonment can lead to resistance; it is therefore the responsibility of both the Department of Correctional Services and the society to rehabilitate the offender.

3.9 THE HISTORICAL ORIGIN OF LIFE IMPRISONMENT

The United Nations formulated rules based on which offenders were to be treated. After the Federal Republic of Germany removed death penalty from its laws many nations debated whether life imprisonment was the most suitable form of punishment. It also came out during such decision if indeed life imprisonment was in line with the constitution (Geneva,1994). The fact is that life imprisonment can be rejected by offenders if they are in prison for too long. Life imprisonment has psychological and sociological effects to offenders. From the 22nd of August up to the 3rd of September in 1994, the United Nations held the 1st Congress on the prevention of crime and treatment in Geneva that considered life imprisonment to be a special priority, during that time the standard minimum rules for treatment of offenders was established (United Nations, 1994).

3.9.1 Origin of life imprisonment during ancient times and code Hammurabi

When the code of Hammurabi considered the regulation of human behaviour in society in the 1750 BC, it saw the birth of harsh prison sentences. It is the same time during the rise of states in social organizations when prisons were introduced. Any

deviation from the code was followed by harsh prison sentence in a form of life imprisonment.

The violation of such code was based on concept of Lex Talidais, “the law of retaliation”. It means even during ancient times offenders were subjected to life imprisonment for serious crimes committed.

3.9.2 Mosaic law life imprisonment and the Hebrew legal system

The Mosaic Law started when God gave Moses the Ten Commandments as a guide to ensure good citizenship and regulation of behaviour (Leanne, 2008). Supporting scriptures include the books of Genesis, Leviticus, Numbers and Deuteronomy. God is believed to have punished anyone who deviated from the Ten Commandments. The Roman law had similarities with other codes and laws of conduct and was applied to everyone regardless of status. It has credit to everyone who obeyed God and fear sins. The Mosaic Law justified the use of capital punishment (Hlongwane, 1998:26). Capital punishment had principles that offenders are subject to punishment for offence.

3.10 SUMMARY

This chapter elaborates on the origin of maximum security prisons and their history. A discussion on the criminal justice system in South Africa clarifies the purpose and gives clarity on how an offender ends up in maximum security prisons. The development thereof discusses how long-term prisoners cope in maximum security facilities and the conditions prove to be harsh and rehabilitative at the same time. Hence, prisons are not a new concept. This is evidenced by their origin and development from the beginning of Biblical times. Specific reference is made to the Holy books or scriptures like Genesis, Leviticus and Numbers. Their collective understanding proves that prisons were there during ancient times. It is the responsibility of the Government to build more maximum security prisons to address the high level of overcrowding in prison facilities. It can be mentioned that correctional services can help to address problems caused by long-term imprisonment as offenders are kept in prison for long period. In chapter four the

profile of offenders will be discussed. That will focus on proper understanding for treatment and security of offenders.

CHAPTER 4

PROFILE OF LONG-TERM OFFENDERS IN SOUTH AFRICA

4.1 INTRODUCTION

The judiciary system of South Africa mandates to keep offenders who committed serious crime profiling of long-term offenders has been adopted as a way of investigating the life of offenders, which helps in understanding the best way of handling offenders who have long-term prison sentences. This involve the development of best rehabilitation measures also including the types of crimes they have committed and the best way they can be reformed and reconsolidated into the normal harmonized society. The study will focus on security and treatment of long-term offenders in a maximum security prison.

4.2 THE CONCEPT OF OFFENDER PROFILING

As a result of offenders being subjected to difficult conditions their lives are being negatively impacted as they lack social exposure and day to day life rehabilitation and a good health and welfare. It is argued in Todd (2006:262) that there is an element of negligence towards the treatment of prisoners. It seems like there is no room for these prisoners to be tried and brought to the understanding that what they were involved in is wrong and be shown the right way to live in society. He continued to give what he believed to be the best way to treat prisoners:

- Offenders should be given the chance to speak out on their living conditions and life circumstances.
- The prison systems must allow prisoners to be involved in activities that build their lives.
- Prisoners should have a life and be allowed to have exposure and contact with their families and their external environment. They also have to be given second chance. The main consequences that come with offenders undergoing long-term imprisonment as seen in Flanagan (1995:10).
- Lack of comfort during the prison sentence for a very long time.
- High costs to maintain and manage the prisons.
- Need to higher expensive and secure security.

- The need for a variety of social activities and programmes to ensure prisoners does not end up undergoing a routine.
- Need to offer good health attention and solving of issues.
- A need to fund the rehabilitation programmes so as to support pre-release programmes that can lead to easily adaption to the community after release.

The engagement of offenders with the society needs special attention to ensure that as they meet the community they are accepted and are able to adopt good behaviour. This means they need to be monitored and be allowed to enjoy the rights everyone has in the community. This is something that cannot be guaranteed as long jail sentences have been associated with psychologically degrading many offenders (Wilson,1985:23)

4.3 THE DEFINITION OFFENDER PROFILING

Ainsworth (2007) had an idea that by having a profile of the life of an offender and traits being matched to their life style can actually give an insight on what can be done to provide better rehabilitation. Earlier in 2007, he proposed four different ways of coming up with a detailed approach to compile this kind of profile. These included:

- **Geographical approach-** it looks at the association between location and timing of offences to make judgements about link between crime and possibilities of what influenced the committing of crime. For example, serial rapists are associated with committing crimes in quiet environments where there is a limited chance of them being seen by the public. This means they have a sense of understanding that what they are doing is wrong and is not permitted by the society if seen. There is need to channel an approach towards rehabilitation in a specific manner and ways to refrain them from such behaviour and at the same time engage with the community to urge people avoid such environments for they may become victims of such crime.
- **Investigative psychology-** This is partly associated with geographical profiling and involve questioning and analysis of the flow of events associated with the crime in question. Studying offender behaviour and attitudes

- **The typological approach**-This involve looking at the characteristics of crime scenes to come up with traits of offenders so that in future measures can be put in place to avoid the existence of an environment that allow crime to happen.
- **The clinical approach** – this approach uses the study of psychology mind sets to investigate thoughts that may be associated with mental problems or negligence. This will help in giving the kind of approach that can be taken when rehabilitating prisoners of different categories. (Department of Correctional Services Act 111 of 1998)

Looking at the above approaches, it is clear that long-term offenders detained in maximum security facilities commit crimes for different reasons that include psychological or mental. Such information need to be made available in determining suitable programmes that will be made available to long-term offenders.

4.4 THE IMPORTANCE OF THE LONG-TERM OFFENDER's PROFILE

4.4.1 Assessment for treatment

Quinsey (2001:7) advocated that when traits are compiled and possible characteristics of an offender with a certain type of crime and environment an approach to handling those kinds of offenders will be easier. This also allows a rehabilitation reform that will not allow the offenders to engage with the similar environment they were in before or when they committed crime. With this information engagement with the society will be easy and more assured through giving proper therapy. Rehabilitation programmes can be designed that will minimize the chances of an offender from recommitting crime. However, the occurrence of similar crimes has a different folding and that makes this profiling complicated and bulky to handle as they vary (Hare, 1999).

4.5 TREATMENT TECHNIQUES

It is mentioned in Polascchchek (2001:10) that when dealing with long-term offenders there is need for technique to successfully rehabilitate prisoners who seem to have the prison as their home. Also, profiling was an advantage although such programs were aimed to determine the effectiveness on violent and long-term

offenders, the elements and structure served the same purpose to non-violent offenders. These strategies also helped violent offenders to solve conflict with their minds into becoming good people in society. Polascchchek gave an example of such programs being developed in New Zealand aimed at addressing the issue of the best approach to handling long-term prisoners. The developed programmes involved the following:

4.5.1 Communication skills training

Communication is one of the most important issues that allow understanding amongst citizens in every society. Correctional facility services must engage into programmes that facilitate sound communication between the prisoners and the management as-well as the offenders themselves in platforms that maintain peace and rehabilitation. In simple terms communication allow the transfer of information between people of systems, however it can be further expanded that communication allow the expression of the inner soul and may free someone from bondage of unanswered questions. (National Association of Colleges, 2010:5)

At some point, long-term offenders will be leaving correctional centres for society and this must be seen happening when someone will be able to express themselves to the society in a law-abiding manner as they are expected to be part of the community system and programmes (Hare, 1999).

4.5.2 Acquisition of parenting

The housing of long-term offenders in correctional centres have been more toward just physically isolating them from the society and subject them to a difficult lifestyle as a way of reforming their mind-set through hardships. It has been recently adopted that there is need to fund the rehabilitation system and value the life. This involves giving them the right to education and social activities. The family background of long-term offenders plays an important part in the study of criminality. Criminal behaviour of long-term offenders could be the result that it is inherited from their parents. Parents and family are the primary sources of care for children, the state is obliged to assign or reassign sure care where the best interests of the child can be

made clear. Long-term offenders were raised by parents and before they were imprisoned they had parental rights. The following constitutional rights are important when children are raised by parents:

- **Section 28(1)(b), of 1996 Constitution**

“Every child has the right to family care or parental care, or to appropriate alternative care, if removed from the family environment“, and

- **Section 28(2) of 1996 Constitution**

Parents are expected to raise their children with great responsibility and care to build a safe future free from criminal activities.

4.5.3 Interpersonal skills

During the prison sentence, long-term offenders need to have an understanding that they are going through a reform programmes away from the community, which deprive them of the benefits and freedom enjoyed by free citizens. This has to be done in a way that makes them the positive picture of being good souls in a society. Offenders need to be subjected to different programmes to reintegrate in the community. Lack of interpersonal skills by long-term offenders contribute to high level of stress and nerves (Hare, 1999).

4.5.4 Social problems solving skills

Poor social exposure and activities may result in continuation of criminal behaviour amongst long-term offenders. The offenders need to have problem-solving therapy that helps individuals to adopt a good mind-set. The long-term offenders need to understand role of emotions effectively, how to control thoughts that come with these emotions and good problem-solving skills (Hare, 1990).

4.5.5 General life skills

As the main task of Correctional Services is to rehabilitate offenders so that upon release, the long-term offender is able to reflect a change in their lifestyle and ideology and behaviour such general skills include listening, learn experiences,

difficult situation and the impact of change of environment. Offenders need to have the above skills to face the daily life challenges in the community (Hare, 1990).

4.5.6 Substance abuse

The use of drugs can lead to broken families. This has to be approached in a more intergraded manner to erase the mind-set oriented with substance users out of their consideration (Hare, 1990).

4.5.7 Welfare in South African prisons

South African correctional centres are faced with serious sicknesses such as Cholera, Tuberculosis, HIV and Aids to list but a few. Anyone who is serving a sentence in prison should get medical attention. That will be in line with the 1996 constitution.

4.5.8 Emotional rehabilitation

The Department of Correctional Services carries out the mandate of society. Such mandate is to enforce the sentences of the judiciary system. This involve profiling of the offender's case and their background, meaning there is need for an investigation to be conducted to come up with information that can be used to reach the mind of the prisoner easily. An approach will be drafted from the case findings and the offender's history, their social life and activities, their educational back ground and family status. Hare (1999) believes that patients with psychiatric problems and violent offenders must be derived on cognitive and behavioural oriented approach when going through rehabilitation treatment.

4.6 TREATMENT EFFETIVENESS

Polaschek et al. (2001) claims that there is no evidence to any form of research that was conducted to evaluate the effectiveness of treatment programmes in prisons. However, Andrews et al. (1990) supports that continued research on the effectiveness of treatment programs shows promising results from studies conducted

in England and Canada, which indicated that Risk Need Responsivity (RNR) programs based on theory and techniques. There was evidence of reduction in recidivism amongst long-term and violent offenders (Andrews et al., 1990). Similarly, Di Placido et al. (2006) also supported that studies conducted in England and Canada indicated that such programs based on theory-based techniques also indicated reduction in recidivism amongst long-term and violent offenders.

4.7 THE MANAGEMENT OF PRISONS

Marshall et al. (2006) suggested that as the department of Correctional Services carries out its tasks, it is expected that in the end there will be a positive outcome. These efforts also should include society involvement in offender rehabilitation like for example when the visitors come around they should show positive support to the system. Encouraging and rehabilitative words. Long-term offenders must be assessed upon admission and be taken through different programs as per their sentence plans.

4.8 ISSUES LINKED WITH LONG-TERM IMPRISONMENT

In South Africa, the main aim of correctional programs is to address and eliminate crime through changing the behaviour of offenders and possible offenders. However, most of the offenders who end up on long-term imprisonment is associated with:

- Lack of good parental upbringing and existence of dysfunctional families
- Lack of education
- Drug and substance abuse
- Distorted thinking patterns
- Low-self esteem
- Socio economic factors
- Development and education of long-term offenders within prison

These factors have a negative impact on the life of offenders and influence them to be involved in serious crime and also repeating of offence (Mules, 2013:1). Accordingly, he continues saying that dysfunctional families and poor child care contribute to inadequate raising of a child, which can lead to criminality. From the

dysfunctional point of view; it is clear that the family which is not properly functional can lead to crime.

4.8.1 Distorted thinking patterns

Most offenders display disoriented thinking, which may implicate to criminal behaviour of most long-term offenders, and this could be the most contributing factor to criminal offense (Buyns, 2013:1). Such characteristics include:

- Emotional reasoning
- Labelling and mislabelling
- Personalization
- Jumping to conclusions
- Mental filter
- Disqualifying the positive
- Over generalization
- Mind reading

4.8.2 Prisoners and low self esteem

Offenders who serve long-term sentences have been associated with losing hope in their future and the development of low self-esteem. This is generally a condition when someone lacks confidence with themselves and performance in anything they do. This involves feeling unworthy, incapable, and incompetent. They feel so poor about their ideas or decisions to the extent that they see a bleak future and psychologically they end up degenerated. A more appropriate type of therapy for such offenders will be one that builds their confidence and bring up positive attitude out of their thinking, beliefs, opinions and perception of the future ahead. Someone might have a general perception that they do not need rehabilitation or counselling, this should be brought as a social and general activity that even include some mind relaxing activity and should be cultivated in the mind of an offender, such system should have positive result in the society.

4.8.3 Effects of long term imprisonment on families

Colliers and Smith (2007) recognized that in circumstances where the offender is a bread winner, it is commonly noticed that many families collapse and fall apart as they lose their main pillar of financial support. This loss of the presence of one of their members of the family is associated with a reduced morale and family day to day happiness. Due to the offender being away from their family, they lose communication and the love that can be shared to keep the family together leading to family disintegration. Some discoveries also mention that dysfunctional families and child neglect lead to omissions and criminality (Mules, 2013:1).

4.8.4 Socio-economic factors and long-term imprisonment

From the researcher's general perspective of lifestyle and livelihood, difficult socio-economic factors are also some of the main contributors of crime in many circumstances. A poor society with high unemployment and lack of social activities is seen to have a higher incidence of criminal activities. Most commit crime after struggling in life up to the extent of engaging with unlawful activities that harm the society for their benefit. The fact that poor and poverty-stricken societies as well have low quality and poor access to education, the people in those societies do not find themselves in a position of thinking with creativity to develop their life and the society. Some scholars say brilliant and bright socio-economic factors and experiences define realities that assist in shaping and moulding one's personality, attitudes and life style (Socio-economic Status Report, 2013:14).

Levels of Socioeconomic status:

- High socio-economic status
- Medium socio-economic status
- Low socio-economic status

Several rehabilitation surveys associate low income, idle minds, and a low level of education with criminal activities, which led to imprisonment (Becker et al., 1997). Educational achievements reduce the likelihood of subsequent criminal behaviour.

4.8.5 Development and education of long-term offenders

Behaviour of an offender can be linked to the type of crime they committed in proper correctional centres by just studying their day to day life style. With the combination of their criminal record and background some rehabilitation programmes can be designed to help reconcile the offender. It is assumed that offenders with higher intelligence have higher social skills are able to escape the criminal justice system (United Nations,1995:22).

Some sources have discovered that intelligent offenders in Latin America are not detained and do escape the rule of law through manipulating the justice as opposed to the less intelligent offenders who are arrested and imprisoned (United Nations, 1995:55).

The majority of offenders around the globe are associated with poor school attendance, problems with authority, alcohol, drugs dependency and substance abuse as-well as low-self-esteem. A huge percentage of these offenders are seen to be illiterate (United Nations, 1998). According to Gathright (1999:143), many offenders are not employed whereas Norde (1980) clarifies that the multi-ethnic and multi-cultural diversity in prisons populations show a different development and educational background. The 1997, Windham School of the district in Texas associates the following with most offenders:

- Leaves school between grades 9 and 10.
- Functions at a grade 6 level.
- Most have an IQ of 89 on average
- Average age is 33 years
- Most of the time there is a history of a poor academic performance
- Displays a defensive and negative attitude
- Most have a poor self-image and little or no confidence in themselves
- Their vision has a bleak view of the future
- Has difficulty maintaining relations with family and other people
- The majority are short tempered.
- Seeks escape from problems by using drugs.

The policies of a Department of Correctional Services are expected to usher activities that bring care to the life of offenders even though they have committed a crime. Offenders deserve to get a chance to make a correction to their mistake since they have affected someone's life and also their imprisonment do affect their families as-well (Draft White Paper on Corrections, 2004).

There is need for education and literacy to be enforced in correctional prison centres to ensure that the recreational and rehabilitation process equip the individual with understanding and capability that will allow them easy engagement with the society. This increases the chances of the offender to get a job when they are released out of prison. (Draft White Paper on Corrections, 2004). This is also included in the Amended Correctional Services Act 111 of 1998, which indicated that long-term offenders who are illiterate must be compelled to take part in educational programmes following findings that the majority of offenders in South African Correctional Centres have low educational background.

4.9 REHABILITATION AND REINTERGRATION OF SPECIAL NEEDS OFFENDERS FACING LONG-TERM IMPRISONMENT

Rehabilitation and reintegration of offenders is something that has been in existence for a long time and it has been improving through the research and funding programmes oriented towards making offenders better people and at the same time reduce crime. Scholars have indicated that such correctional programs were important in eliminating the recommitting of crime amongst long-term offenders in correctional centres and in their life after serving sentence (Loga, 1972).

Scholars compared rehabilitation and punishment and saw the need for a balance between the two to be established. Their studies were focus on effectiveness of treatment of correctional intervention (Sutherland, 1939:20).

4.9.1 Juvenile offenders in maximum security facilities

The sentence granted by the Department of Correctional Services is supposed to be in line with the criminal offense committed as stipulated by the laws of justice and

prosecution. Young offenders are not to be excluded as long as they are of the age of maturity that they are able to decide right and wrong. If a young individual commits crime and are considers immature then anyone with influence on the criminal incident will have to be prosecuted and should face justice (South African Constitution, Section 28(1) D).

When remanded in prison, young offenders are supposed to have their section separated from adult offenders to avoid influence from the adult inmates. It can also be mentioned that adult inmates may take advantage of the juveniles and end up harassing them. In certain cases, some rape incidences can be experienced. Juvenile prisons should be light on restrictions to a social life and they need to get their right to education. If sentences are to be made long-term the crime should be serious like for example murder, rape, robbery or the possession of drugs.

Surveys have discovered that not all juvenile offenders are violent and in most circumstances crime is committed due to peer pressure. After considering the above, Odong et al. (2005) recommends that there is more to be done to amend the legislative and regulatory statutory of law to ensure that juveniles in correctional centres are detained under conditions that take care of their age and avoid been them becoming dysfunctional.

4.9.2 Mentally ill inmates in maximum security facilities

Centuries and decades back, psychiatry mentally ill offenders were kept in more secure and confined correctional services. There was a belief that these offenders cannot be controlled in any other was hence the confined imprisonment (Gideon, 2013:7). Argono, (2010:3) believes that dealing with mentally ill inmates requires understanding of the problem associated with their behaviour. There is need for continuous clinical evaluation and assessment of such patients and surveys have discovered that the majority of such prisoners are female (BJS, 2006). This was attributed to suspicion that this may be caused by the fact that women easily get depressed.

There are a lot of problems associated with the control and management of mentally ill inmates to the extent that the Department of Correctional Services requires funds to enable their rehabilitation process. Eligibility to handle the patients with clinical support from doctors, social care givers, psychologists. There is also a need to impose tight security measures as these inmates also pose a risk to the mental health professionals and to their fellow inmates as well. The need for trained mental health professionals is the fact that correctional services staff did not receive training to deal with jobs of that nature.

The recruitment process and conditions of those who will deal with mentally ill inmates should be oriented towards employing professionals that have clinical training to deal with psychiatry patients with hospital and general mental disability clinics or medical centres. Due to the risks that are involved with these inmates as they may become violent, the salary packages for these professionals or job offers need to be competitive to motivate those who are willing to help the rehabilitation centres by offering their skill. It is recommended that correctional centres must not accommodate mentally ill offenders if they do not have the staff to take care of this category of prisoners in their prison rehabilitation centre. Such offenders must be sent to appropriate centres with capability to deal with such people and that must be dealt with according to the Mental Act (Draft White Paper on Corrections, 2004: 83).

In South Africa, before the suspected mentally ill offenders can be sentenced, they are first referred to psychiatric care hospitals like Sterkfontein for clinical assessment to credit the claim that they are mentally ill. This was done so that the prosecution and trial will be held in accordance with the Criminal Act of the constitution. After they are sentenced it becomes a burden for the Department of Correctional Services to offer treatment and therapy. The Human Rights watch recommend that mentally ill inmates be detained in their own solitary confinement separate from other inmates with no mental disabilities.

4.9.3 Illegal immigrants as inmates

In the late 1990s, illegal immigrant offenders started to be prosecuted during the transition from apartheid to democracy. This marked the era when the immigration

policy was put into action. Over the past nineteen years, different parties reacted to the influx of immigrants in South Africa. The Majority of South African facilities are believed to be occupied by illegal immigrants. Such offenders are released through fine options or sentence expiry date and get deported to their country of origin.

General public perception believes that the majority of illegal immigrants in South African Correctional centres are for violent and aggressive crimes that include the following:

- Rape
- Armed robbery
- Murder
- Theft

Due to overcrowding, it is difficult to manage correctional centres (Weisset, 2013: 405). Most offenders do not understand English and this makes it problematic for prison services who should deal with people who speak multiple languages. Also, it is therefore regarded as a burden to South African taxpayers to support and maintain illegal immigrants in correctional centres.

4.9.4 Inmates of different religions

Religion has also been considered as a way to ease things through teachings of beliefs that each offender believes as part of their religion. However, because there is so many religions and so many offenders it made this a debatable issue since there is no way all the religions in South Africa can be supported in prisons without involving the need for funds. This is because South Africa is a Rainbow Nation is made up of many different races and hence many different religious beliefs. If the religious belief of an offender is not offered and supported that means the offender should go back to their religion after serving their sentence (Gideon, 2013:11). The common religions seen in South Africa:

- Jewish
- Rastafarian
- Christianity
- Muslim

The law and constitution allows offenders the opportunity to follow their religious beliefs. The issue was proposed so that church services can help to get rid of boredom in correctional facilities. In this case, long-term offenders must be given an opportunity to have religion of their choice and they should be given an opportunity to attend meetings held in the correctional centre freely and voluntarily and may have in their possession religious literature. However, for such conditions to exist and prevail there is need for huge funds, which makes this imagined condition impossible to ascertain. Religion needs staff to run the services and these require day to day living support if not salaries. (Department of Correctional Services Act 111 of 1998).

4.9.5 Chronically ill inmates

As discussed earlier, long-term offenders in South African Correctional facilities are prone to infection with different types of diseases. This is increased by the issue of overcrowding, which make the environment tedious and untidy and due to close proximity and flooding on health systems. At the same time, some offenders have had diseases way before coming to imprisonment. Most offenders are depended much on alcohol, substance abuse, unprotected sex associated with multiple partners before they were sentenced (Gideon, 2013:11).

Common disease condition found in South African Correctional facilities;

- Sexually transmitted diseases
- Hepatitis
- Tuberculosis
- Asthma
- Hypertension
- Diabetes

The outcome from a research article on South African history, (2016) has shown that Robben Island was used to imprison offenders with mentally disabilities, chronic illness, political activists like Tata Nelson Mandela, the homeless, alcoholics and prostitutes.

4.9.6 Inmates under protective custody

Gideon (2013) discovered that different countries have considered how prisoners are detained under protective custody. Inmates are separated in cells according to their threats, security needs or to avoid possible victimization. These isolation issues caused a lot of impact on inmate's health conditions. The conditions caused loneliness, too much thinking, loss of hope in life, suicide incidences, symptoms of anxiety and depression. This was definitely against the goal of rehabilitation (Gideon, 2013:11). In addition, the South African Correctional centres faced a lot of impact and burden with accommodating all categories of offenders under protective custody (Correctional Services Amendment Act, 2008).

Category of offenders in South African prison services with a need for special protection,

- Ordinary inmates who fear for their lives in prisons
- Celebrities
- High profile offenders
- Former law enforcement officers

The categorization of offenders avoids issues between inmates as it is obvious that those with a status of popularity will face problems from ordinary inmates due to the fact that they are now the same as opposed to a time when they were free. It was also discovered that most rehabilitation centres segregated minorities, homosexuals, and those with mental disability (Encyclopaedia, 2012:202).

4.10 TREATMENT EFFECTIVENESS xxx

According to Polaschek (2001), programmes that deal with issues of violence and long-term imprisonment are difficult to rate on their effectiveness. Research studies conducted in England and Canada showed effectiveness in programs that are aimed at addressing violent and long-term offenders (Andrews, 1990). The nature of such programmes can be adopted by different countries in their Departments of Correctional Services to counter challenges faced in their institutions. This mean proper drafting and designing of programmes to identify and ensure proper

development and evaluation is provided. The Risk-Need Responsivity (RNR) theory-based technique as practiced in England can also be modified to suit the needs in South African Correctional Centres (Andrews, 1990). This may give potential and a chance for offenders to live as law-abiding citizens. If such efforts are harnessed the management of long-term offenders can become effective if the following is followed:

- Offenders are given opportunity to reconcile
- Involve professionals from different fields of counselling and personal social and mental development to address individual needs of offenders.
- Approach rehabilitation with different programmes to increase chances of improvement.
- Offenders are given opportunities to be involved in various activities

The amended Correctional Services Act 111 of 1998 stipulates that illiterate long-term offenders must be encouraged to take part in educational programmes. This followed the findings that the majority of offenders in South African Correctional Centres have low educational background.

4.11 PROGRAMS RECOMMENDED FOR INDIVIDUAL LONG-TERM OFFENDERS

The 2012/2013 strategic plan of department of correctional services focus much on rehabilitation.

Research conducted came up with various programmes to address and manage behaviour. The list below shows the outcome from the research:

- Pre-release programmes.
- Anger management.
- Restorative justice programmes.
- New beginning orientation programmes.
- Cross roads.
- Preparatory programmes on sexual offences.
- Substance abuse correctional programmes.

The plan was to offer such programmes and also put subject offenders to such programmes to increase chances of improving their change in behaviour.

4.11.1 Anger management

The white paper on corrections emphasize on the Department of correctional Services to appropriately rehabilitate offenders. Such mandate can only be possible if individual long-term offenders are aligned to certain extensive but flexible programmes that will address the offending behaviour and recidivism in South African correctional centres. It is on the basis of the above that offender's sentence plans are compiled to recommend the type of programmes that will address the nature of crime committed. Long-term offenders are normally associated with aggressive crimes such as murder, rape and drug dependency. And anger management is recommended to address such behaviour.

Anger management was designed to address offending behaviour associated with violence. It can also be mentioned that anger is normal in any human being, but only if it is uncontrollable and destructive to other fellows it becomes unacceptable (Sunday World Newspaper, 2 July 2006).

4.11..2 Cross roads

Public perception believes that drug and excessive alcohol consumption and abuse may have a huge influence on crime. The cross road programmes were mostly designed for those with short sentences like 24 to 48-hour imprisonment. Even though criminal cases may differ, long-term sentenced inmates are also put through such programmes for they may have been associated with such factors like drugs and alcoholism leading to their crime. Under these programmes offenders are taught how to understand themselves and how drugs and abuse of alcohol can have impact in their daily lives with expectations that this will give them a better picture of life.

4.11.3 Preparatory programme on sexual offences

Offenders convicted because of sexual behaviour faces the crime of rape. These offenders are considered to go through sexual offence programmes, the programmes are designed to extract the brutal mind set they have through psychological manipulation of their thinking patterns by those with knowledge and the know-how of legal implications associated with sexual offences can be addressed. Offenders will also be introduced to coping strategies that deal with making them how bad are situations involving sexual offences.

4.11.4 Pre-release programme

The legal mandate of the Department of correctional services is to rehabilitate sentenced offenders. The main aim here is to reconcile and change the mind-set of offenders to reintegrate them and hence eradicate repeat of criminal activities by the same offender. It is therefore important that long-term offenders be given an opportunity to attend pre-release programmes before their release. Such programmes need to be compulsory but on the basis of choice by the prisoner that they are ready for it as a pre-requisite for release.

This is one of the best was to enforce someone to be successfully reintegrated in society. The course can benefit offenders as the following aspects will be covered; Relationships, Heath education, Financial management, Restorative justice, Finding employment, Parole conditions, Substance abuse, Relapse into crime prevention.

4.11.5 Substance abuse correctional programme

Substance abuse has shown to pose negative impact on the daily of those who depend on them. General observation can prove that substance abuse is associated with idleness. All categories of offenders are expected to go through these programmes in the form of a plan to help with reversing the effected posed to their mental health in the form of plan. The following were put as part of the plan; Assisting offenders to overcome alcohol and drug dependency, help offenders to understand themselves, assisting offenders to restore broken relationships.

4.11.6 Restorative justice programme

This programme is offered by professionals who studied probation studies and political justice. This is for all categories of offenders. Under these programmes, issues that deal with offending behaviour are discussed and a direction to a better life is given in the form of a road map. The outcome of this programme will make long-term offenders to understand the benefits of restorative justice, good behavioural patterns, rehabilitation and reintegration back to society.

4.10.7 New beginnings orientation programme

New beginnings are offered to all categories of offenders. The idea behind this is to ensure offenders understand the situation with them being put into prison as a correctional centre and not a form of detainment. The following will be part of the programmes, the setup of the correctional centre activities, different services in the correctional centre, how to handle different incidence and how to make the best decision, how to cope in correctional centre.

This programme is most beneficial to those that will be serving long sentences in correctional services.

4.12 POLICY ON THE TREATMENT OF LONGTERM OFFENDERS IN SOUTH AFRICAN CORRECTIONAL CENTRES

With time the operation and functioning of the Department of correctional services was influenced by political changes. These changes made the Department to put Rehabilitation as its priority to ensure its activities are effective in reducing re-offending and repeat of criminal offenses, policy on correctional programs (2006:4)

There is a greater chance that long-term offenders will benefit from a combination of programmes as coping strategy on how to approach life outside.

4.12.1 Constitution of the Republic of South Africa

The South African constitution protects the rights of every offender by giving them right to have a lawyer, equality, no cruel, inhuman or degrading punishments, fair treatment, satisfactory and adequate accommodation, to adequate medical treatment.

If these rights are violated the prisoner has a right to report to the responsible authority and through their lawyers if action is not taken those involved will face prosecution when the matter reach the courts of justice. In addition to that, the Department of Correctional Services Act 111 of 1998 make provision to set up judicial inspections of correctional facilities. Offenders are also allowed to have their lawyers, family and friends visit them at appropriate arranged times.

4.12.2 Correctional Services Act (Act 111 of 1998)

On the Constitutional Act Section 41, all offenders are liable to go through a rehabilitation services aimed at preparing offenders for their return to society. This section demands that stipulates rehabilitation efforts are enforced by the Department of correctional services at all times. On rehabilitation and using the holistic approach are expected to be addressed; offending behaviour, human development and the promotion of social responsibility in a holistic approach, social responsibility, social justice, active participation in democratic activities, empowerment with life skills and other skills, and a contribution to making South Africa a better place to live.

4.12.3 Department of correctional services strategic plan

The main objective was in compliance with the correctional services constitutional act. It was set in 2013 and had rehabilitation as its objective to the strategy to reflect the observation and performance of activities as obliged by the white paper in corrections (2005), which obliges management to:

- To capacitate the Department of correctional services to play its role as a security institution responsible for the protection of public safety by breaking the cycle of crime.
- Develop the Department of correctional services into an institution of rehabilitation and social re-integration.

- Promote corrections as a societal responsibility.

4.12.4 White Paper on Corrections in South Africa (2005)

Chapter 3, Item 3.3.5 stresses on the working together of the Department of Correctional Services and other Departments in rehabilitation of prisoners on long-term sentences. One of the other departments that deal with this is the department of Social Development that offer programmes, which will assist the long-term offenders to reintegrate successfully in the community. The department of social work offer programmes like counselling to enhance breaking the cycle of crime. Some nongovernmental organizations also play important roles in offering rehabilitation programmes.

Item 3.3.7 Long-term offenders are discouraged from any behaviour that does not go hand in hand with the norms and values of the society. Long-term offenders are expected to have good conduct that is in line with the core business of the department of correctional services, which is rehabilitation.

Chapter 4 Item 4.2.3 allows achievement of rehabilitation through delivery of key services to offenders, which is correcting the behaviour of the offender. Isolation is prohibited in the management of long-term prisoner's behaviour due to its detrimental effects in attitudes, behaviour and social circumstances.

Item 4.2.4 advocates that the holistic approach in provision of correctional services is the best way to ensure rehabilitation. The offenders have to be engage through all levels of functioning that include social, moral, spiritual, physical well-being. There is belief that long time offenders can rehabilitate if given the opportunity.

Item 4.3.2 stresses that the Department of Correctional Services should ensure all prison centres need to have rehabilitation correctional programmes. It is also the society's expectation that they help through the rehabilitation process. In the end the offender will reintegrate with the community where they came from.

4.13 MANDELA RULES

Some standards have been set by the United Nations to usher the rehabilitation of offenders. One of the standards is enclosed in the following statement:

“To these ends, all appropriate means shall be used, including religious care in the countries where this is possible, education, vocational guidance and training, social case work, employment counselling, physical development and strengthening of moral character in accordance with the individual needs of each prisoner, taking account of his (or her) social and criminal history, his (or her) physical and mental capabilities and aptitudes, his personal temperament, the length of his (or her) sentence and his (or her) prospects after release”.

Considering the vow above it is therefore important that long-term offenders be subjected to different rehabilitation programmes and be given the opportunity to compose their lives and mature through the programmes. On the 24th of May 1990, it was decided that economic and social council of the United Nations do accept new decisions regarding offender training and development of offenders.

4.14 INTERNATIONAL SCIENTIFIC AND PROFESSIONAL ADVISORY COUNCIL

Cilliers et al. (2008:5) acknowledges the important role played by the international scientific and advisory council in enforcing the education and development of prisoners within a correctional facility in line with the concepts of the United Nations' crime prevention and criminal justice programmes. This council allows prisoners to learn the best ways of life through systems. Sentences of long-term prisoners need to be constitutional and appropriate (United Nations, 1995).

4.15 ASSESSMENT OF LONG-TERM OFFENDER

Section 36 of Act 111 of 1998 of the Department of Correctional Services, stresses on assessment of offenders as soon as they are admitted into a correctional service on the following:

- Health requirements
- Social and psychological needs.

- Religious beliefs
- Security classification.
- Allocation to a specific category, whether juvenile, psychiatric or normal adult.
- Specific development programme needs
- Work allocation.
- Needs regarding integration

4.15.1 Security classification

All prisoners sentenced for long-term sentences are required to go through security check risks that may be associated with their offences. This security checks involve psychological assessments to ensure the Correctional services officials and the community are safe to engage with the prisoner with no risk associated. Any suspicious activity should be scrutinized and assessed to evaluate on credibility of safety. If risk is suspects a security classification will be ordered for the specific prisoner that will be either medium or maximum security attention (Correctional Services Act 111 of 1998).

4.15.2 Health needs

Long-term offenders also deserve the constitutional right to receive health care attention and assistance like any other prisoner facilities at state's expense. Medical practitioners are employed to offer such services to offenders on encouragement not forcefully without their concern (Correctional Services Act 111 of 1998).

4.15.3 Educational needs

Any form of education as long as it is designed properly plays an important role in the life of a prisoner. Even those who were imprisoned with no education base can be taught how to read and write and be introduced to communication with their family through various communication systems. This makes their life normal and entertaining even if they are in prison. Lack of training and development can lead to idleness amongst long-term offenders and that can promote gangsterism. Reading

material and equipment must also be included to support the programmes (Department of Correctional Services Act 111 of 1998).

4.15.4 Social and psychological needs

On considering the need for interaction it has been recommended that the Department of Correctional Services give access to various ranges of programmes and activities as is practicable to meet the needs of long-term offenders. Illiterate offenders should be encouraged and be given a chance to take part in educational programmes. The programmes offered should be more practical than theoretical in order to develop and support long-term offenders by promoting their social functioning and mental health.

4.15.5 Religious needs

As the constitution allows each individual to have choice to belong to any religion even in prison, long-term offenders are also supported both the constitution and the Department of Correctional Services Act 111 of 1998 in the following aspects:

- All prisoners should be given the right to attend religious services and meetings or to take part in religious activities and all prisoners can take part in religious activities of their choice.
- Under respective situations places of worship must be provided at every prison for prisoners of all religious of all religious denominations.
- Be allowed freedom of conscience, religion, thought, belief and opinion.

4.15.6 Specific development programme needs

Rehabilitation programmes are expected to support all prisoners regardless of their category, whether long-term or short term, mentally regarded as normal or mentally disabled. If conducted unfairly prisoners have the right to file a complaint with the courts of justice.

4.15.7 Work allocation

In the prison services, all prisoners are given tasks to work and most of the work is beneficial. They are given tasks to work in places like farms to keep busy and at the same time do some fruitful work. Long-term offenders must be encouraged to perform work to keep them busy. Those who are loyal and show a reformed behaviour is made to work in light work departments like the kitchen cooking and serving food (Department of Correctional Services Act 11 of 1998).

4.15.8 Allocation to a specific correctional centre

Offenders with light criminal offenses are given the privilege to be kept in correctional services near their home or area of residence. Such decision is made considering that their offense is not serious and can be classified as a mistake.

4.15.8 Needs regarding re-integration into society

A prisoner that expect to reintegrate with the society need to attain and fulfil the pre-release programmes. Such programmes will assist the offender to fit well during re-integration process. During release, long-term offenders must be given the social support and advice as prescribed by regulation. Poor prisoners are supposed to be given all the care so that when they are released to the society they are acceptable and presentable.

4.15.9 International scientific and professional advisory council

Correctional services require support and developmental advice from the international scientific and advisory council for the education and development of prisoners to ascertain the guidelines stipulated by the United Nations crime prevention and criminal justice programmes (Cilliers et al., 2008).

Human dignity is one of the most important things that developmental programmes consider as a reform standard in rehabilitation. If one show to be calm and dignified it is considered that they have reconciled. (United Nations, 1995)

4.16 SUMMARY

The justice department has to ensure they offer support the initiatives of the department of correctional services. No offender should be put in prison and does not receive rehabilitation. In chapter 5, the researcher will focus much on rehabilitation as a tool to handle long-term offenders. If the Department of Correctional Services does not focus on rehabilitation, that might be followed by riots amongst offenders. Offenders will idle due to the unavailability of programmes.

CHAPTER 5

REHABILITATION AS A TOOL TO HANDLE LONG-TERM OFFENDERS

5.1 INTRODUCTION

The primary purpose of the rehabilitative model is changing the character and behaviour of the offender with the aim of protecting the community from repeated crime. Long-term offenders cannot be excluded from this perception (Bender, 1997:57). In addition to the above, Bender also emphasised the fact that offender rehabilitation concept's aim was to correct criminal behaviour and prepare offenders that are to be released on parole. Offenders have to fully participate in programs, which are tools for effective rehabilitation. Rehabilitation programs vary and have different purposes to fulfil. Offender classification will also form part of the study as rehabilitation need to take place in a safe and secure environment. It is on that reason that offenders need to be properly classified for security reasons.

5.2 UNDERSTANDING REHABILITATION IN THE CONTEXT OF CORRECTIONS

The offender can be subjected to rehabilitation in correctional centres by involving him in education, skills training, sport, recreation, arts and culture opportunities, health care and psychological treatment maintenance of family and community links. It is therefore clear that all such efforts must be done in a safe and secure environment (Correctional Services Canada, 2004).

Rehabilitation can be defined as follows (Rehabilitation Path, 2005:10):

- The development of an environment, which is conducive to human rights, reconciliation, forgiveness and where offender's negative thoughts can be replaced positively that can improve their values, which in return can be accepted by the community.
- The development of an environment where offenders can leave and apply skills effectively that will assist them to live as law abiding citizens.

- The development of methods that will ensure that offenders realize the impact of crime to the community.

People do not have permanent disability. They can be rehabilitated and be accepted by the community from the crimes that they have committed (Encyclopaedia, 2013:1). It is clear that the criminal mentality of an offender can be cured through rehabilitation programmes. Bruyns (2007:100) argued that the words “rehabilitation treatment” and “intervention” are repeatedly used in the field of corrections. It means the offender have to be rehabilitated and treated on the crimes that he/she has committed. It is important to separate the criminal justice system sanctions (example intensive supervision, home confinement shock probation) from correction rehabilitation. Certain programmes offer direct assistance in rehabilitating offenders and that include therapy, education, and training. The definition of rehabilitation as explained by Colleen (2012:112) seems to be suitable as it indicates wide aspects and clearly explain role of recreation programmes as follows:

- The intervention initiative been planned with an objective to rehabilitate an offender.
- The objective is aimed at addressing offending behaviour
- The intervention objective addresses certain aspects that are regarded as causes of criminal behaviour such as mental health, social relationships and personality.
- The main objective is to address the possibility of offender relapsing back to crime.

Community involvement and rehabilitation are used more often as they are key aspects in offender rehabilitation. It can therefore be said that rehabilitation programmes cure the stigma that is attached to the offender.

5.3 ROLE OF REHABILITATION ART PROGRAMS AS A TOOL TO HANDLE LONG-TERM OFFENDERS

Art in correctional centres has been held since early days. It is clear that it was not a new concept. During 1980s the arts council of Ireland, in cooperation with educationists had seminars in correctional centres. It is argued by Coakley (United

Nations, 1995:40) that technical problems associated with self-expression through visual art are greater than those associated with writing.

Staff working in correctional facilities in the Netherlands had interests in art programs (Hoven, 1991). The interests in such art programs led to the introduction of permanent art classes. Art programs have received much attention from researchers, teachers, artists, and administrators (Art Article in Corrections, 2008; 102). Such attention led to the effectiveness of rehabilitation of long-term offenders and was identified as follows:

5.3.1 Therapeutic benefits on long-term offenders

The therapeutic benefits have seven key benefits, which are summarized as follows (Maarian, 1997: 102):

- It assists offenders who cannot deal with literacy and have poor verbal communication.
- It can be used to address issues relating to offenders and that makes them uncomfortable
- Offenders can have an opportunity to self-expression and self-exploration.
- It provides a safe and acceptable way to express, release and deal with potentially destructive feelings like anger and aggression.
- It yields concrete products that can be used to initiate discussion and not development overtime.
- It gets the clients actively involved.
- It lets the clients be creatively and perhaps enjoy themselves. In addition to the above key benefits, (Yassak, 1997:9) revealed and emphasized the advantages of art therapy in correctional centre, which are as follows:
 - It communicates concrete non-verbal messages not available through verbal therapy.
 - By passes one's reluctance to explore treatment issues honestly.
 - Remove vulnerability associated with verbal expression.
 - Allows one to make expression socially acceptable to both the correctional centre subculture and outside culture.

- Tops into the creativity that stems from the intense need for diversion and escape in correctional centres.
- Produces mitigation of symptoms without verbal interpretation.
- It provides other options to those with poor literacy and verbal communication skills.

From the above objectives, it clearly indicates how important art programmes are, they can be used to break the monotony within correctional facilities. Offenders can keep themselves busy and have life experience that can be used fruitfully when released. It is therefore important that the community and the Department of Correctional Services must support such initiatives.

5.3.2 Educational benefits

Art activities within correctional centres are believed to have certain value in the correctional programs (Billinton, 2002). The role and significant aspects of art programs cannot be separated from rehabilitation efforts as they might have impact on emancipation and empowering of long-term offenders. Engaging offenders in art programs offers them opportunities to explore their inner potential and improve their communication abilities, appreciate their own and others' ideas and culture, become citizens that are active and will result in positive lifestyle (Clements, 2004).

In giving further clarity regarding these programs, Clement (2004) indicated that art and craft programs are not only recreational, but they strengthen cognitive abilities, which is acquired through the senses and the development of the offender. They help the students to integrate knowledge, feelings and manual skills.

5.3.3 Role of arts to institutional management

The released offender need certain basic needs to survive such as proper housing, contact with families and friends and finding a job (Nelson, 2003). Most long-term offenders enter the community without proper support system.

Art and crafts created by inmates may have good attraction to the outside world. Such display of art can ensure that offenders be recognized by the outer world (Whister, 1997). The selling of arts may ensure that offenders have positive lives after release and can earn legitimate income (Riches, 1994). According to Elliot, Marshal et al. (2005), programmes may better and prepare offenders for aftercare and after release and reintegration back to the community. The integration process for released offenders during incarceration. The correctional art programs also assist in reducing recidivism. It is therefore clear that offenders keep themselves busy and be able to get legitimate income by selling end products. Art may motivate offenders to properly engage in therapy programs and change their attitudes and circumstances in favour of distance.

According to Nelson (1999), issues such as finding housing, creating connections with family and friends, finding a job, alcohol and drug abuse, and continued involvement in crime can have success rate or high failure rate to successfully reintegrate an offender in the community.

According to further research findings, 76 per cent of offenders enter the community alone without support system. They do have few jobs skills and less work history. The age on release regarding offenders and the lack of skills contribute to unemployment. If offenders are released under such stressful conditions that can contribute to relapse back to crime. It is therefore important that correctional services (prepare and provide) rehabilitation programs before release. Another factor affecting released offenders is drug abuse, their attitudes and behaviour. The confirmation of poverty and unemployment lead to family disorganization, demoralization, substance abuse and criminal activities (Anderson, 2003).

5.4 SUITABLE PROGRAMMES AND REHABILITATION OF LONG-TERM OFFENDERS

5.4.1 Introduction

Punishment or imprisonment cannot be studied in total isolation without looking at programmes. Such omission of programmes can lead to offenders in committing further crime (Muthaphuli, 2008:62). Programmes must be offered to offenders and

need to satisfy the following comprehensive goals as designed by Kratcoski (2004:201):

- The programme should include a complete, individual and treatment path.
- The programme should be aimed at assisting an offender to accept responsibility for his or her offences and offending patterns. (e.g. sequence off thoughts, feelings, events circumstances, and arousal stimuli).
- The treatment should assist an offender to learn the intervention of breaking into the offenders' offence patterns and to call upon tools, methods and procedures to suppress, control, manage or stop the behaviour.
- The treatment should provide re-education and re-socialisation to replace antisocial thoughts and behaviour with pro-social ones, to acquire a positive self-concept and new attitudes and expectations of himself or herself, as well as to learn new social and sexual skills to help restore the healthy relationships.
- In residential treatment, an offender needs a prolonged period to safely test his or her newly acquired insights and control mechanisms in the community.
- Each offender needs a post-treatment support group and continued post-release access to the therapeutic treatment.

According to Clear (2000:323), the following programmes are important in rehabilitation efforts on long-term offenders:

- Educational programmes
- Counselling/ casework
- Psychological programmes
- Behaviour programmes.
- Social programmes
- Vocational programmes

5.4.2 Educational programmes

As argued in Brewster (2002:30), it is indicated that educational programmes play an important part in offender rehabilitation. Offenders programmes offered assist in increasing the higher acceptance in the community. The programs can improve communication skills, general education, basic academic skills, general equivalency diploma preparation, vocational training poor-secondary education, and other

educational programmes that are offered to the offender population (Gowdy, Travis & Sulton, 2003).

The correctional educational must meet the following standards developed by the united economic and social council that can assist offenders to reach their potential (Voorhis et al., 2004:13):

- Education should be accessible to all offenders.
- All offenders must have access to literacy programmes basic education vocational training creative religious and cultural activities recreational education and activities, social education higher education and library facilities.
- All parties involved in the functioning of the centre must support education.
- Disincentives to offenders who participate in approved formal educational programmes should be avoided at all costs.
- Not only should offenders be allowed to participate in education inside the correctional centre, but education outside the correctional centre should be encouraged.
- The community has to be involved in education that takes place inside the correctional centre.
- Vocational training must be aimed at the development of the offender and must adapt to the conditions of the labour market.
- Cultural activities should also be encouraged because of their role in enabling the offender to develop and express themselves.
- Educational programmes should consider the offenders' social economic and cultural background.

5.4.3 Recreational programmes

According to Voorhis (2004:14), recreational programmes give offenders an opportunity to participate in them without looking at the level of education. Programmes are wide and offered to different categories of offender: e.g. crippled (disabled) offenders who participate in arts and crafts, music and table games. Failure by correctional facilities to arrange recreational programmes can lead to sexual assaults and conflicts among offenders, which can eventually lead to personal depression (Muthaphuli, 2008:65). It must be ensured that inmate's meals,

work assignments, education programmes and other aspects of institutional life operate smoothly and in conjunction with recreational activities. Programmes assist in building trust amongst offenders and improve the mental health of offenders and the rehabilitation programmes. It can be emphasized that the Department of Correctional Services keep long-term offenders busy within Correctional Centres.

5.4.4 Psychological programmes for long-term offenders in maximum facilities

The psychological programmes are offered to offenders to address the offender's mental illness when crime is committed (Muthaphuli, 2008:65). It is a fact that offenders have mental challenges that influence crime. Such programmes are offered in the following ways:

- Psychotherapeutic approaches that include programmes aimed at addressing mind in correctional environment.
- Treatment that address offender in a group and it includes reality therapy, transactional analysis and cognitive skill building (Clea et al., 2000:323).

5.4.5 Counselling and case management

The counselling and case management programmes translates to proper rehabilitation in correctional facilities (Voorhis, 2004:15). The correctional counsellors use such opportunities to offer group sessions to discuss drug related issues. Offenders have to learn to adapt to correctional institutions' conditions. Long-term incarceration is normally associated with a high level of stress.

5.4.6 Behaviour therapy

Behavioural therapy is offered to reinforce good behaviour. It is therefore important for offenders to understand that behaviour can be followed by reward or punishment. In reward of good behaviour, offenders can be praised, be given more food and privileges. The punishment for bad behaviour can be in a form of threats, confinements and punishment (Bartoullas, 2002:312). Behavioural therapy also addresses issues like:

- Verbal manipulation
- Rationalisation
- Social skills
- Ability to control anger and frustration

5.4.7 Social therapy

For rehabilitation to take place effectively, offenders must be willing to accept the efforts needed to ensure stability in the correctional facility and have to meet the following requirements (Clear,1994:358). Offenders need to support the idea of taking place in decision making. The social therapy means therefore that offenders have to look at the pro-social attitudes and behaviour within correctional institutions (Muthaphuli, 2008:267).

5.4.8 Vocational programmes

Rehabilitation in Correctional institutions cannot take place in isolation. Offenders need to be trained in certain skills like punctuality, good behaviour at work and after all how can they impress their employers and have good reputation at work. If such vocational programmes are kept they will keep their job for too long. It is clear that they will not relapse back to crime and therefore recidivism will be avoided.

5.5 ROLE PLAYERS IN THE REHABILITATION PROCESS OF LONG-TERM OFFENDERS IN MAXIMUM CORRECTIONAL OFFENDERS

Offender rehabilitation cannot take place without considering other factors. The offender must also be prepared to accept programmes (Jonker, 2011:56) and such factors include the following:

- Offenders
- Correctional official
- The community
- Professional therapy
- Victim

5.5.1 Offenders

The Department of Correctional Services has the legal mandate to rehabilitate offenders (Department of Correctional Services, 2005b). Such rehabilitation process of long-term offenders is possible if they are willing to change. The offender must be willing to accept that crime does not pay. If they are not addressed, they can spend more time in correctional facilities (Bartoulas, 1985). According to Deutschman (2007:15), there are three keys that can make offenders to have new ways of thinking and living, and they include:

- Relate
- Repeat
- Reframe

5.5.1.1 *Relate*

The offender can be motivated by a person who has changed. The example can be that of an offender who has been released from the Correctional Centre is successful in life. The road to rehabilitation is normally met with challenges (Deutschman, 2007:15). It means that the good behaviour associated with success in life can have positive impact to the offender who has just been released to the offender.

5.5.1.2 *Repeat*

Offenders cognitive behaviour helps them to direct their future life, which might and contribute and make their dreams come true (Jonker, 2011:57). Future life needs skills that will help them to face daily challenges.

5.5.1.3 *Reframe*

The adaption of offenders to other people will contribute to the new relationships. Such friendships will ensure that offenders face new way of doing things (Deutschman, 2007). Offenders can have the choice to reoffend or rehabilitate. Bartollas (1985) mentions that there are three type of ex-offenders i.e.:

- Those who will fail automatically

- Those who will make adjustment to society.
- Those who will be successful

On the other hand, Bartollas (1985:261) mentioned three reasons why offenders fail at the end, namely:

- Failure of will
- Lack of satisfaction from the straight life.
- Inability to make it in the free world

THE FAILURE OF WILL

Forced challenges do not last for over. Offenders must be willing to live a crime free life. Life challenges can affect offenders when released to the community. It can therefore mean that offenders can relapse back to crime (Jonker, 2011:59). It is clear that offenders must not be the victims of forced changes. They must be willing to change their way of life.

DISSATISFACTION WITH THE STRAIGHT LIFE

Offenders have the tendency to deviate from the acceptable norms and values of society. They cannot accept the fact that they don't have money in their possession (Jonker, 2011:59). According to Bartoullas (1985:261), offenders do not accept a crime free life. An example is when a habitual thief cannot do without house breakings. The offender regards the loot during house breakings as way of life and addresses his daily life challenges.

THE INABILITY TO MAKE IT IN A FREEWORLD

Many employees are unable to hire ex-offenders due to the fact that they have criminal records (Barthoulas, 1985). Failure to hire ex-offenders might lead to relapse back to criminal life. Offenders might feel that they are not accepted by the community.

5.5.2 The correctional staff

The Department of Correctional Services has the mandate to rehabilitate offenders. Correctional Services Act 111 of 1998 makes such provision. In addition, the White

Paper (2005) regards correctional officials as rehabilitators. Correctional staff gives offenders guidance, mentoring, programing and guarding (Hennes, 2000:327). The professional team that include social workers, nurses, educationists and psychologists cannot be excluded in offender rehabilitation. They duty is to offer therapy to offenders.

Correctional officials need to have more energy that will ensure more concentration at all times (Bartoullas, 1985). Correctional officials carry variety of responsibilities that include supervisor, disciplinarian, peace keeper, administrators, mentor, provider and clarifier (Liebling & Price, 2001). It is therefore that the role of correctional officials starts upon offender admission until he/she is released from the correctional centre.

In addition to the above, it is indicated in Seiter (2002:375) that the correctional officials need to have the following characteristics:

- Communication amongst staff and offenders must be based on high level of professionalism.
- Offender basic needs like food, health, accommodation and safety must receive priority.
- Offenders must be properly controlled to ensure rehabilitation.

It is therefore important that correctional officials remain professional at all times. The long incarceration can make offenders be rehabilitated if they are involved in programmes.

5.5.3 The community

The Department of Correctional Services has the responsibility to rehabilitate offenders and ensure the reintegration to society (Robertson, 2004:37). The rehabilitation process need to involve the community. The sub-directorate support such initiatives in daily running of correctional centres (South African Year Book, 2003:451). The joint relationship between Department of Correctional Services and the offender will ensure effective reintegration as they will have common objective.

Department of Correctional Services support community involvement through the following means (Bailey et al., 2006:67):

- Department of Correctional services drafted the community involvement, which is in line with the Department rehabilitation strategy.
- The Department of Correctional Services drafted policy that will link ties with the community.
- Both the victim and offender benefit.
- The initiative support reintegration.
- The Department of Correctional services support the role of an offender in rehabilitation process.
- The policy offender chance to show remorse.
- The Department of Correctional Services ensure proper reintegration.

5.6 ROLE PLAYED BY OFFENDER CLASSIFICATION IN REHABILITATING LONG-TERM OFFENDERS

5.6.1 Objective corrections classification: Defined

According to the United States Department of Justice of Corrections (2004), classification include ensuring order in correctional facilities, enforcing discipline amongst offenders, offering different programmes. It is impossible to offer programmes successfully without security classification.

5.6.1.1 *Reliability and validity*

Validity means the exact information needed in offender classification is therefore important in determining future behavioural of offenders (Guide for Correctional Agencies, 2004).

5.6.1.2 *Overrides*

According to the objective of the Correctional Classification Correctional Agencies (2014), there are two types of overrides, namely non-discriminatory and discriminatory overrides. The non-discriminatory does not have offender classification on security levels mean while the discretionary overrides uses the

professional staff like social workers, psychologists and psychiatrists to determine classification scoring process.

5.6.1.3 *The external and internal offender classification*

The external offender classification is considered immediately after an offender has been admitted from the correctional centre. It determines the custody level where the offender has to be detained. The internal classification determines the type of cell and housing unit. It is clear that the housing unit need to consider where long-term offenders are incarcerated.

5.6.2 Objective offender classification: Historical background

During the nineteenth and twentieth centuries, USA Correctional facilities were separated as follows (James, 2004:3):

- Separation by age (adult and juveniles)
- Gender (male and female)
- Number of offences (first versus repeat)
- Special needs offenders (humane treatment, mentally ill)

Such classification is also seen in South African Correctional system. South African offenders are classified amongst juveniles, males and females. It is clear that if juveniles are not separated from hardened criminals that might lead to sodomy or a bad influence amongst each other. However, Labane (2012:43) argued that during the medieval era in 1870, offenders were not classified. It is clear that if there is no proper offender classification that might lead to claims against the state.

5.7 THE REDUCTION OF RECIDIVISM IN MAXIMUM CORRECTIONAL CENTRE AS A KEY OBJECTIVE TO EFFECTIVE REHABILITATION ON LONG-TERM OFFENDERS

The safety of the community plays an important part in ensuring effective rehabilitation (Feugson, 1996:126). Such objective can be effective if strategies are put in place. Proper strategies can ensure that recidivism is addressed. During the

1970s and 1980s, there were no ownership regarding the rehabilitation of offenders (Thinane, 2010:8). It therefore means that programs of addressing rehabilitation lacked need-driven therapy. According to Botha (1997), the following initiatives can be effective in addressing recidivism, namely:

- Psychological
- Social work
- Education
- Training programs

It is argued by Thinane (2010:80) that rehabilitation was rejected by the authorities. The offender was alone in the correctional centre that is characterised by high level of stress. It can be said that much focus was directed at safety and security by ensuring that offenders does not escape from lawful custody.

5.7.1 The reduction of recidivism in maximum correctional centre as key challenge: A holistic overview

Recidivism can be as a result of many contributory factors. As mentioned earlier, the community need to be fully involved in ensuring proper and successful reintegration back to community. Long-term offenders were associated with recidivism (Malta, 2001:54). It means offenders did not live according to the expectations of society. Offenders' lives are normally associated with re-arrest, reconvictions, parole violations (Thinane, 2010:80).

It therefore means that rehabilitation programmes failed to address criminality amongst offenders. According to the released South African statistics in Correctional Centres, 94 per cent of released offenders relapse (Hammond, 2006). The environment suitable to rehabilitate offenders must have different therapy techniques. The therapy techniques are as follows (Hessenk, 2003; Honn, 2001).

The theory techniques are as follows:

- Psychosocial therapy aimed at counselling of individual offenders, groups of offenders and families of offenders, and
- Pharmacotherapy where medication is used to cure mental illness and drug dependency.

The reduction of recidivism can be reached by a multi-disciplinary approach and must be a representative of all different disciplines and available expertise relevant to offender treatment (Nesser, 1989). According to an international workshop on crime science held in November 2003 at the Jill Dando Institute of Crime Science in London, delegates proposed “burden sharing” approach to reduce recidivism (Siegel, 2004:2). Burden includes criminologists, social workers and psychologists aimed towards reduction of recidivism.

5.7.2 Measuring the effectiveness of rehabilitation in South African maximum correctional centres

The rehabilitation effectiveness can be measured by many ways without only focussing on recidivism rates (Farabee, 2005:21). The reduction in the high level of unemployment, the increase in high level of education amongst released offenders can clearly indicate that rehabilitation is indeed becoming effective (Findlay, 2000:56).

The stats on offender relapsing back to crime can be a reliable source if one needs to check the effectiveness of offender rehabilitation. The South African national assembly budget vote during the then minister of Department of Correctional Services emphasized that rehabilitation was the core business (Skosana, 2001). Programmes that are effective are those including society and families. Specific objectives, include (South Africa, 2001:33):

- The developed of individualised need based rehabilitation programme,
- Promoting a restorative justice approach,
- Combating literacy, and
- Improving the capacity of training facilities.

The above are aimed at addressing the increase in the recidivism, social functioning and contribution in reducing recidivism rate to the safety of the community.

5.7.4 Establishing a culture of effective rehabilitation in South African Correctional Services: policy statements and legislation

The South African 1996 Constitution embodied the fundamental rights of all citizens, including those of offenders. The approach also gives ahead the direction of Department of Correctional Services at the same time introducing the human rights culture into the entire system. The human conditions and custody had the impact in reducing the rate of recidivism in Correctional Centres (South Africa, 2003:7).

5.7.5 Development of effective rehabilitation programs and reduction of recidivism

The Department has the responsibility to deal with recidivism and the effective rehabilitation process in correctional centres (Skosana, 2001:9). It is the responsibility of the Department of Correctional Services to develop programs that will ensure that offenders will not relapse back to crime. The Department of Correctional Services considered the development of programs as a key point of departure in contributing towards a crime-free society. The Department of Correctional Services White Paper on Corrections stipulates and confirm the adoption of offender needs based approach to ensure that its core business of rehabilitation is carried out (White Paper on Corrections, 2005:127). In section 41 of the Correctional Services Act, Act 111 of 1998 (South Africa, 1998 1998:26), the Department of Correctional Services has an obligation of ensuring the access of full range of offender programmes.

Thinane (2010:12) tabulated programs that are recognized by Department of Correctional Services and are offered to offenders. (See Table 2.1)

Table 2.1 Programmes (services) available to sentenced offenders (South Africa, 1986:26)

Psychological	Social Work	Religious Care	Education and Training	Generic Programs
Individual Therapy	Individual Therapy	Religious and Church Services	ABET	Life skills
Group Therapy	Group	Group	Main Stream	HIV and AIDS

Psychological	Social Work	Religious Care	Education and Training	Generic Programs
	Therapy	Session	Education	
Family Therapy	Family Therapy	Personal Interviews	Correspondence Studies	Investment in Excellence
	Pre-Release preparation	Personal Religious needs	Technical Studies	Behaviour Awareness Programme
		New life Behaviour	Vocational Training	Drug and Substance abuse
		Crime free lessons and honest living	Occupational Skills Training	Sexual Behaviour
			Recreational and library Educational	
			Computer based Training	

INDIVIDUAL THERAPY

Individual therapy can provide enough opportunity to make things normal. In this instance, one-on-one engagement can be made with an offender to offender therapy,

GROUP THERAPY

It produces greater weight than individual therapy (Marks, 2001). It can be said that offender participating in group discussion can be more productive than individual participation.

FAMILY THERAPY

Family therapy helps families to bond to each other. Such therapy is dictated and aligned with the responsibilities that are important in offender rehabilitation that i.e. societal responsibility (White Paper on Corrections, 2005).

5.8 CONCLUSION

This study focuses on the effectiveness of rehabilitation as tool to handle long-term offenders. Particular attention was also placed on the role played by art programs as the way of ensuring effective rehabilitation process. Offender classification was also briefly explained as it is clear that Rehabilitation cannot take place without clearly considering offender classification.

The Department of Correctional Services has the legal mandate to rehabilitate offenders. The rehabilitation process need joint efforts by the offenders themselves (who must have a will to change, the community and the Department of Correctional Services). If the offender is not involved in the rehabilitation process, he might reject the process, which the community might find difficult to accept the rehabilitated offender.

Society's failure to accept the offender will eventually lead to the offender relapsing back to crime. It is therefore important that the Department of Correctional Services make proper identification of rehabilitation programmes to achieve its main objective, which is rehabilitation (White Paper on Corrections, 2005).

CHAPTER 6

FINDINGS AND CONCLUSIONS

6.1 INTRODUCTION

The aim of this chapter is to give comprehensive findings of the research project after the discussion of the major findings of the research project. After the discussion of the major findings of the research project, relevant conclusions would be highlighted. The extent to which the primary and secondary objectives of the research would also be indicated since the primary aim of the research was to determine the logical study on long-term offenders in a maximum prison.

As mentioned in Chapter 1 (1.1), the main aim of the research, which is aimed at the secondary objectives of the research, will be discussed, such aims are:

- To indicate rehabilitation on long-term offenders.
- To identify international standards in the treatment of long-term offenders in maximum facilities.
- To identify the status of long-term offenders and rehabilitation programmes in the South African Correctional services.
- To clearly and successfully identify certain programmes, which have an impact on rehabilitation.
- To study the general appreciation and administration in terms of their crimes, punishment, brief classification and profiles of long-term offenders.

The historical development of maximum security prisons and the identified private maximum prisons formed part of the study. The profile of long-term offenders in South Africa and the study of rehabilitation as a tool to handle long-term offenders will form part of the study. In addition, specific programmes that are suitable for long-term offenders and how programmes play a role in offender rehabilitation will be studied.

Art programmes can play a very important role in rehabilitation of offenders that are incarcerated in maximum security prisons (see 5.3.1), such benefits have key objectives aimed at the following:

- Art can be utilized as a form of communication to those struggling with verbal communication.
- It can be used to address issues relating to offenders and that makes them comfortable.
- It is a means of self-expression and self-exploration.
- It provides a safe and acceptable way to express, release and deal with potentially destructive feelings like anger and aggression.
- It yields concrete products that can be used to initiate discussion and not development overtime.
- It gets the clients actively involved.
- It lets the clients be creatively and perhaps enjoy themselves Marian Liebmann (1997:102).

In addition, concrete to the above key benefits, Yassak (1997:19) revealed and emphasized the advantages of art therapy in prison, which are as follows:

- It communicates concrete non-verbal messages not available through verbal therapy.
- It passes one's reluctance to explore treatment issues honestly.
- Allows one to make expression socially acceptable to both the prison subculture and outside culture.
- Tops into the creativity that stems from the intense need for diversion and escape in prison.
- Produces mitigation of symptoms without verbal interpretation.
- It provides other options to those with poor literacy and verbal communication skills.

From the above point of view, it indicates how important art programmes are for offenders who are serving long-term sentences. Such programmes can be used to break the monotony within prison facilities. Prisoners can keep themselves busy and can have positive life when they are released from prisons. The community and Department of Correctional services must support such initiatives.

According to Balfour (2003:46), offenders are expected to learn sound work skills and go through educational programmes that will ensure effective reintegration in

society (see 2.2.5.4). The Mandela Rules for treatment of offenders adopted by United Nations at Geneva in 1995 mention training as part of rehabilitation process that is clearly indicated in United Nations Rule (1), which focusses on rehabilitation of offenders in corrections indicated as follows. To these ends, an appropriate means shall be used, including religious care, in the countries where there is possible education vocational guidance and training, social case, employment counselling physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, considering of his account of his/her sentence and his/her prospects after release.

According to Coetzee (1995), education and training of offenders is important. Act 8 of 1959 also made provision that sentenced offenders must undergo education treatment and rehabilitation. The long-term offenders are covered by the Mandela Rules. It is clear indication that art programmes, as part of education is another form of rehabilitation, which will assist offender reintegration into society.

Such philosophies are also mentioned by Billington (2002) who mentioned that art activities are believed to have certain value in the education programmes (see 5.3.2). According to Clement (2004), art programmes offers offenders opportunities to explore their inner communication abilities and can have positive lifestyle.

Both the Correctional Services Act 111 of 1998, Act 8 of 1959 and White Paper in Corrections, which were developed in line with The Mandela Rules for treatment of offenders, uphold the constitution when dealing with offenders.

Even during the origin and development of prisons in ancient times, their role was not aimed at rehabilitation but on punishment. Offenders were placed in prisons for crimes committed. The main purpose of imprisonment was aimed on theories of punishment that included deterrence, incapacity retribution and rehabilitation.

According to Clements (2004), prisoners choose art as a way of dealing with boredom in correctional facilities. Art programs assist prisoner's human rights and their environment to be more effective by providing a form of recreation decoration and the connection with the outside world (Hall, 2003). It is based on the above

views that offenders serving long-term in maximum facilities find arts as a way of breaking monotony in correctional facilities (McCourt, 1994). According to Faurgenon (1996), community safety is the primary goal of offender rehabilitation (see 5.6) the objective can be achieved through the implementation of proper strategies to reduce recidivism.

The recommended strategy is the implementation of art and crafts to all long term offenders and to keep them busy in correctional facilities. The project will thus market offenders to the outer world (Whister, 1997). The selling of arts may ensure that offenders have positive lives after release and can earn legitimate income (Riches, 1994). According to Elliot (2005), programmes may better and prepare prisoners for aftercare and after release and reintegration back to the community.

The objective cannot only to prevent recidivism, but to ensure that products are sold to the community and the legitimate income is achieved. Offenders also have the opportunity to live positive lives by avoiding time wasting on issues like alcohol, crime and drug abuse. Further research findings predict that 76 per cent of offenders enter the community alone without support system. They do have few job skills and less work history:

- Role played by support staff on offender rehabilitation.
- Adopt role played by NGOs in rehabilitating offenders.
- Development of facilities suitable to handle long-term offenders with special needs in maximum facilities.
- Ensure compulsory rehabilitation programs especially selected for long-term offenders in a maximum prison.
- Reintegration and acceptance of long-term offenders in labour market.
- Implementation of effective data system to measure and monitor recidivism rate of lifers.

Further research is important as practised in other international countries. One such country is Netherlands where both staff and offenders were in favour of the fact that arts and craft must be offered permanently in prison classes (Hoven, 1991). It is believed that arts and crafts programmes play an important part in addressing

recidivism. Programmes such as art and craft are offered in South African Correctional institutions as a skill but they are not compulsory to offenders.

Long-term offenders need skills in art and that should be compulsory introduced in South African correctional facilities. Employers are reluctant to employ ex-offenders because of criminal record. The art and craft, if made compulsory to all offenders, it will benefit offenders. Offenders will be able to sell their end products upon release, make legitimate income and make positive lives. Further research is needed on arts and crafts to be made as pre-release programme to long-term offenders in South African institutions.

6.2 CONCLUSIONS

The Department of Correctional Services as part of the Criminal Justice System cannot work in isolation. For rehabilitation process to be effective, the approach to multi-task approach is recommended in this regard. The Department of Correctional Services cannot achieve such objective without an assistance from the community and the family. Therefore, the researcher agree with the statement that corrections is a societal responsibility (White paper in corrections, 2005).

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Opsomming

Die hoofdoel van hierdie studie is om 'n MAGISTER-graad te verwerf. Die studie gee tweedens duidelikheid oor die bestudering van langtermyn-oortreders in 'n maksimumsekeriteits-tronk.

Oortreders wat in maksimumsekeriteits-tronke aangehou word, word langtermyn-gevangenisstraf opgelê deur 'n geregshof. Langtermyn-gevangenisstraf word geassosieer met hoë stresvlakke in korrektiewe fasiliteite. Die ontwikkeling- en behandelingprogramme wat aan gevangenes gebied word, vorm deel van hierdie studie.

Hierdie studie is belangrik vir die Suid-Afrikaanse korrektiewe stelsel en sommige van die kategorieë van oortreders in maksimumsekeriteits-tronke.

SLEUTELTERME

Korrektiewe Dienste, rehabilitasie, heroortreding, residivisme, Wet op Korrektiewe Dienste, langtermyn-oortreder, korrektiewe sentrum, oortrederprofilering

<*TRANSLATION (**isiZulu**) – 1 page*>

NGOKUFINGQIWE

Okuyiyona nhloso enkulu yalolu cwaningo ngukuthola iziqu zemiyezane ye-MASTER OF ARTS. Okwesibili, lolu cwaningo luyacacisa mayelana nokucwaninga ngezaphulamthetho ezingahle zibuye ziphinde (long-term offenders), ezisuke sisejele elinokuvikeleka okuseqophelweni eliphezulu.

Izaphulamthetho eziboshelwe emajele anokuvikeleka okuseqophelweni eliphezulu zisuke zigwetshwe yinkantolo yomthetho ukuthi zihlale ejele isikhathi eside. Ezindaweni zokuhlumelelisa izimilo, ukuboshwa isikhathi eside kuhambelana namazinga aphezulu engcindezi (stress). Izinhlelo ezakhelwe ukuthuthukisa kanye nokwelapha iziboshwa ziyizinto eziyingxenye yalolu cwaningo.

Lolu cwaningo lusemqoka maqondana nohlelo lwaseNingizimu Afrika lokuhlumelelisa izimilo kanye nakwezinye izigaba zezaphulamthetho emajele anokuvikeleka okuseqophelweni eliphezulu.

AMATEMU ASEMQOKA

EzokuHlunyeleliswa Kwezimilo, ukuguqulela esimweni esikahle, ukuphinda wenze icala ube kade uke watholakala unecala ngaphambilini, ukuphindela ekwenzeni amacala, uMthetho Wezokuhlunyeleliswa Kwezimilo, isaphulamthetho esingahle sibuye siphindelele, isikhungo sokuhlunyeleliswa kwezimilo, ukucutshungulwa kobunjalo nokuziphatha kwesaphulamthetho.

KAKARETŠO

Maikemišetšo a magolo a nyakišišo ye ke go hwetša lengwalo la thuto la MASTASE (MA). Sa bobedi, nyakišišo ye e fa tlhaloso ka ga nyakišišo ya basenyi ba paka ye telele ka kgolegong ya bagolegwa bao ba lego kotsi kudu.

Basenyi bao ba golegilwego ka dikgolegong tša bagolegwa bao ba lego kotsi kudu ba fiwa kahlolo ya paka ye telele ke kgorotsheko ya molao. Kahlolo ya paka ye telele e amantšhwa le maemo a godimo a kgatelelo ka gare ga mafelo a tshokollo. Mananeo a tshwaro le tshokollo ao a abelwago bagolegwammogo a bopa karolo ya nyakišišo.

Nyakišišo ye e bohlokwa go mokgwa wa Afrika Borwa wa tshokollo le go magoro a mangwe a basenyi ka gare ga dikgolego tša bagolegwa bao ba lego kotsi kudu.

MAREO A BOHLOKWA

Ditirelo tša Tshokollo, Senthara ya tshokollo, tsošološo, poeletšo ya bosenyi, kgonagalo ya poeletšo ya bosenyi, Molao wa Tirelo ya Tshokollo, mosenyi wa paka ye telele, go profaela mosenyi